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JUDAISM

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ISRAEL OR ZION

Leonard J. Fein

TYPICAL JEWISH MISUNDERSTANDINGS OF CHRISTIANITY

Eugene Fisher

MAIMONIDES—Three Aspects

IS THE GOD OF MAIMONIDES TRULY UNKNOWNABLE?—Shubert Spero

MAIMONIDES AS A YOUNG MAN—Meir Havazelet

MAIMONIDES AS A PHYSICIAN—Roger E. Herst

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JUDAISM, conceived as a free and non-partisan organ, is dedicated to the creative discussion and exposition of the religious, moral and philosophical concepts of Judaism and their relevance to the problems of modern society. Through an exploration of the meaning and needs of the Jewish experience, it hopes to widen the channels of communication between Jews and to affirm Jewish verity and vitality to the world at large.

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JUDAISM

A QUARTERLY JOURNAL

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STATEMENT OF PURPOSE

In increasing measure, modern men are turning again to the quest for a worldview on the issues that are timeless—the meaning of life, the challenge of death, the purpose of suffering, the significance of the individual, his relation to society, and the goal of history. In order to advance this enterprise of spiritual discovery of our time this Journal has been projected. It will be primarily concerned with the philosophy, ethics, and religion of Judaism as a factor in the contemporary world . . .

We are committed to the proposition that Judaism has positive value today for Jews and for the world . . . At the same time, we disassociate ourselves from the dangerous tendency toward the hardening of party lines on the contemporary Jewish scene . . . The members of the Board of Editors belong to every school of Jewish life or to none. The trends popularly referred to as Orthodox, Conservatism, Reform, Reconstructionism, as well as others that as yet have no specific names, have their advocates among us, though no institution or movement is officially represented . . . Undoubtedly, our differences will find expression in these pages, but we shall be at one in opposing the dogmatism which takes for granted that one's own particular standpoint has a monopoly on truth and the authoritarianism which would suppress any contrary point of view.

Judaism will be dedicated to the quest for truth in the spirit of freedom. Our columns will be open to anyone who has something significant to say and the ability to say it well. New and unconventional interpretations, whatever their standpoint, will be welcomed from every source, for we share the conviction of the Talmud that "Both these and the others are the words of the living God."—From the introductory article by Robert Gordis, "Toward a Renaissance of Judaism" in Vol. I, No. 1.

The First Reader

AT SINAI, THE TORAH TELLS US, GOD DESCRIBED Israel as *Am Segulah*, which properly means “His treasured people, His possession.” The King James Version, naturally utilizing seventeenth-century English, rendered the phrase as “peculiar people,” an apt designation, even in the modern sense of the adjective!

I have always regarded the recognition of the uniqueness of Israel as the cardinal doctrine of Judaism. The recognition of the special character of the Jewish people is the indispensable key for understanding the realities of Jewish existence, past or present. This basic truth remains incontrovertible, whether it be viewed in religious terms as an expression of the Divine will, or explained from the secular perspective, as the product of the unique historical experience of the Jewish people. This is why no issue affecting Jews and Judaism ever fits neatly into categories borrowed from other areas. The famous and still inconclusive debate on “Who is a Jew” is the most familiar recent example of this truth, but by no means the only one.

In his paper, “Israel or Zion,” *Leonard J. Fein* deals with one such crucial problem, often discussed but generally in superficial terms—the relationship between the dream of Zion and the reality of the State of Israel. This suggests another set of correlates—on the one hand, the Exile, a spiritual concept involving unfulfilled goals, and on the other the Diaspora, which is basically a geographic-demographic term. From his analysis, the author draws important conclusions for the relationship of world Jewry to the State of Israel.

The literature on the Holocaust continues to grow in extent, but the assiduous reader often has the feeling of *déjà vu* as he peruses the unending stream of articles and books on the subject. The danger is by no means slight that both the “believers” and the “non-believers” will be frozen into their respective roles. In his very moving paper, “Approaching the Holocaust,” *Eliezer Berkovits* reminds us that those who witnessed the Holocaust from afar are, in a very basic sense, disqualified from passing judgment or raising challenges on the tragedy. He carries further an approach which has been presented in these pages by Charles Steckel, in his article, “God and the Holocaust” and by the Editor in “A Cruel God or None—Is There No Other Choice?” Obviously, Rabbi Berkovits’ word is not the only one that may be spoken, but it should be heard.

One of the most provocative papers to appear in JUDAISM is "Typical Jewish Misunderstandings of Christianity," by *Eugene Fisher*, Consultant for religious education to the Roman Catholic Archdiocese of Detroit. His wide knowledge of Jewish scholarship and thought are evident throughout the article, but they have not weakened the vigor and forthrightness with which he rebuts what he regards as Jewish misunderstandings of Christianity. The Editor has himself written a study entitled, "The Re-Judaization of Christianity" (now reprinted in *A Faith for Moderns*), that attracted wide attention, but apparently escaped Mr. Fisher's notice. That may explain some of the phenomena he discusses. However, the Editor will resist the temptation to enter into the discussion, but invites his readers to do so.

No social disease in our time can rival anti-Semitism either in its intensity, the variety of its manifestations, or the vast extent of its diffusion. Basically, anti-Semitism is not a single malady, but a complex of diseases. Hence, the variety of diagnoses and remedies for dealing with it.

In his paper, "The Orphan Syndrome," *S. Levin* presents the intriguing idea that the Christian world is essentially suffering from the feeling of being orphaned in the world, lacking the sense of the Divine Father which Judaism affords its devotees. His diagnosis is highly interesting; the cure is still awaited.

The history of religion in general, and of Judaism in particular, reflects a perennial tension between prophecy, the non-mediated contact between man and God on the one hand, and law, the mediated formulation of the Divine imperatives, be it in ritual or ethics, on the other. In his paper, "Moses: Faith and Law," *Sholom A. Singer* calls attention to the unique position of Moses, who was both "first of the prophets" and "the teacher and law-giver par excellence." He suggests that only in the person of Moses were these two emphases blended, and that the tension between the two has characterized Judaism, as well as its daughter-religion, Christianity, through the ages.

One of the most picturesque practices in Orthodox Judaism is the ritual of the sanctification of the new moon, for which analogues have been found in various religious cultures going back to dim antiquity. A strikingly novel interpretation of the origin of the rite is presented by *Mayer Abramowitz* in his paper, "Sanctification of the Moon." He suggests that the rite is nationalistic rather than religious in origin. He attributes both the practice and the liturgy of the observance to the need for giving secret signals to Jewish rebels in the Bar Kokhba rebellion against Rome in 132-35 C.E.

No "religious" ritual in contemporary Judaism has become more widely known and practiced than the bar mizvah. Its central importance in the life of modern Jews is of relatively recent vintage, there being no Biblical or direct Talmudic evidence for the practice. It is not on historical grounds, but rather because of the abuses which have crept into the celebration in our time, that many Jewish leaders and observers of Jewish life have decried the practice and even wished for its abolition. This goal, perhaps devoutly to be hoped for, is scarcely likely to be realized in the foreseeable future.

In his paper, "Bar Mizvah," *Byron L. Sherwin* examines the traditional sources of the rite, as well as the question of the age when religious responsibility falls upon a youngster. The paper is one of the few serious contributions to a discussion of the history of the bar mizvah.

No dictum of Pascal has been quoted more frequently in our day than his confession that he had abandoned the god of the philosophers and gone back to the God of Abraham, Isaac and Jacob. The statement has been enthusiastically embraced in our time as a classic presentation of the contrast between the living God of faith and the abstract God of reason.

Christian theologians have utilized Pascal as a point of departure for their attempt to salvage some aspects of Christian dogma in a secular age. They have been followed by some Jewish theologians in our day, albeit at a respectful distance, reflecting the cultural lag between world thought and its Jewish counterpart. It is an old observation, but a true one, that *Wie es christelt sich, so judelt es sich*. The Jewish denigrators of the role of reason in religion and in life, of whom there are many varieties, have ignored the far-reaching differences between the basic concerns of Judaism and the central preoccupations of Christianity. To-day, to be sure, the joyful proclamation that reason is irrelevant to faith is no longer maintained quite so confidently.

In his closely reasoned paper, "Is the God of Maimonides Truly Unknowable?" *Shubert Spero* interprets Maimonides' doctrine of "negative attributes," which has often been held up as a particularly egregious example of cold philosophy attempting to do duty for warm religion. The author presents the thesis that Maimonides' philosophic doctrine was entirely germane to his deeply rooted faith in the God of Abraham, Isaac and Jacob. If the thesis is sound, it offers one more line of evidence that Pascal's epigram is more striking than true.

This study of Maimonides' philosophy is followed by two papers on Maimonides the man and the physician.

The august portrait of Moses Maimonides as an austere, Olympian figure dominating the halakhic and philosophic landscape of Judaism has

imprinted itself upon the Jewish consciousness, and not without reason. Like the immovable First Cause which he and other medieval philosophers postulated, Maimonides is conceived of as unchangeable in his outlook, virtually born into maturity as a rabbinic scholar, philosopher and Jewish leader.

In his paper, "Maimonides as a Young Man," *Meir Havazelet* offers a welcome corrective of this portrait. He reminds us that Maimonides was young before he was old, and that his temperament and outlook underwent change with the passage of time. He becomes a far more human, but no less exalted, figure as a result of this insight.

For Jews and Judaism today, Maimonides is pre-eminently the great legislator and codifier, on the one hand, and the towering philosopher and theologian on the other. Nonetheless, we may be certain that, in his own day, Maimonides devoted the greater portion of his working day, if only because of necessity, to the field of medicine, in which he occupies a distinguished place. In his paper, "Maimonides As A Physician," *Roger E. Herst* suggests that Maimonides' knowledge of the physical constitution of man served him as an analogue for his ideas on improving the spiritual well-being of man.

In the growing literature on Jews and the New Left, many efforts at establishing the etiology of Jewish radicalism have been made. Various explanations have been offered to explain the apparently disproportionate number of young Jews in the New Left. In his paper, "The Jewish Radical In His American Habitat," *Henry L. Feingold* offers a penetrating critique of various theories proposed, and presents his own analysis of the background and motivation, both conscious and subconscious, of Jewish radicals in America. They may be somewhat less visible on the horizon today, but their force is far from spent. The causes underlying their appearance must continue to interest all who are concerned with Jewish youth and the future of the Jewish community.

R. G.

Israel or Zion

LEONARD J. FEIN

I

SOME FIVE OR SIX YEARS AGO, WHEN I HAD COMPLETED the manuscript of a book dealing with politics and society in Israel, several of my colleagues spent much of a winter afternoon flattering me by asking endless questions concerning the matters of which I had there written. As our conversation drew to a close, one of them proposed that everything I had been saying suggested to him that Israel's story had about it the quality of Greek tragedy. I was, I confess, taken aback; I had had no notion that the portrait had been so gloomily drawn. When, however, I had the chance to reflect on his words, I realized that he had caught my meaning even where I had repressed it.

But, I felt at the time, there was a serious distortion in his sensitivity. It simply would not do to have Israel the victim of Greek tragedy. No blinded hero here, pursued by relentless and endless fate, crashing from the heights at the whim of the gods. The classical components of the Greek drama did not fit at all. More, the notion seemed to me to violate propriety; if tragedy there be, it must needs be Jewish tragedy, not Greek. And so I wondered whether there might not be, in Israel's own past, some tragic metaphor that might fit more comfortably.

The Jewish tragedy is, of course, historical rather than literary. But I saw in the traumas of the Jewish past no real clues to the problems of the Israeli present, problems far removed from persecution and from martyrdom. And so, ultimately, inevitably, I turned to the source itself, to the Book. For a while I considered Job, but only for a while, for troubling though his story be, suffering and tragedy are not the same. There were several other possibilities, but, in the end, none so fitting as the central tragic figure of the Bible story, Moses himself.

Moses was, after all, an undoubted hero. Born a slave, but offered great riches, he was impelled to accept the vexing burdens of leadership, itself, perhaps, a form of slavery. He led his People from slavery to freedom, and for forty long years wandered with them through the desert, towards the Promised Land. He was clearly a driven man, a man with a vision repeatedly frustrated by the behavior of those he led. Yet, despite massive odds, despite the recalcitrance of his followers, and the inadequacy of his resources, despite cruel elements and numerous enemies, he pursued his vision and brought his People to the borders of the Land.

But Moses himself was not to enter the Land. He died before the border was crossed. He must surely have known all the while that this

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might happen; the four decades of wandering, we are informed, were dictated not by geography, but by his own conviction that men born free, and not those who had felt the lash, must redeem the promise. In choosing so, he must have realized that his own fulfillment and his own redemption might be denied. What dreams he had for Land and People remained untried. Time, and fate, and even heroic choice stayed both his hand and his dream.

The story is, of course, not wholly tragic, for the Children of Israel were, after all, redeemed. But in the end it was their own version of redemption, and not the hero's, which mattered most.

So it seemed to me six years ago, and I wrote these words as an epilogue to my book. The words were cryptic, allegorical. They expressed, somewhat obscurely, my sense of disappointment that the Israel of our dreams and fondest hopes had been displaced by the Israel that was, necessarily and inevitably, preoccupied with unemployment, with crime, with inflation, and, of course, with guns. Heroic, to be sure, perhaps even exemplary, but hardly what the poets had proposed, hardly what our fantasies had conjured up.

Five years and more have now gone by, five years of tumult in the State of Israel and near it, five years longer for each of us to adjust to the reality of Israel's existence, five years farther from the moment when we held our breath and watched Israel a-borning, five years more to revise and amend our understanding of this place and to incorporate it into our understanding of the Jews and of ourselves as Jews. The babies who were born in the year of Israel's rebirth are this year being graduated from college, and bearing their own children; this year, we are celebrating the quarter-century anniversary of the first successful national liberation movement of our time. During these past years, I believe that all of us who had been involved in the effort to sustain the State of Israel were entitled, perhaps even required, to suspend judgment, so overwhelmed were we by the elemental fact of Israel's existence. Moreover, truth to tell, most of us would not have known what to say had we thought it proper to say anything at all, for our own response to the reality of Israel was too mixed. It was easiest, as well as most appropriate, to react to that reality as if it were not reality, but the historic myth itself.

Despite the fact that Israel has now, for better or worse, emerged as the single most important "belief" of American Jews, it is clear that a growing number of Jews in America are becoming somewhat restive, are beginning to search for a new and more mature understanding of Israel. And the time for such a reassessment, painful though it must be, may be said to have arrived. Israel's existence, while by no means yet assured, seems more secure each day, and our own sense of miracle is waning. Earlier myths, those which sustained Israel in the middle third

of this century and those which informed American Jewry during the first two-thirds of the century, are now in disarray, and the search for new sustaining myths, both here and in Israel, has gained considerable momentum in recent years. In the course of constructing, or discovering, such myths, it is important to try to come to grips with the meanings of Israel—with what it means, and has meant, and might yet come to mean—as well as to consider what claims, if any, we have on Israel, those of us who willingly acknowledge her claims on us.

There are those who would argue that such questions are illegitimate. Israel, it is said, is a sovereign state. Its citizens alone are responsible for its destiny, and it is both arrogant and presumptuous for people outside its boundaries, no matter how kindly their disposition, to preach to it. Those who wish to participate actively in determining the destiny of Israel are invited, indeed, urged, to take the one step which will lend credence to their effort, namely, the step of immigration, the acquisition of Israeli citizenship. Failing that step, they lack entitlement, and must be satisfied to remain defenders and protectors of Israel, must be denied the perquisites of the citizenship they have eschewed.

This is not a trivial position. It is a serious position, put forward by serious, responsible, and thoughtful people, and there is much to recommend it. For myself, I think it mistaken, and the primary source of its error, it seems to me, is a perfectly understandable confusion between the distinctive meanings of Israel, on the one hand, and of Zion, on the other. The tension between place and dream is real, and, I submit, inescapable. It is, in its way, a necessary, rather than an episodic tension. It is, therefore, a tension not to be overcome, but to be understood.

II

The sovereign State of Israel is, indeed, the property of its citizens, and theirs alone. Those citizens, be they Christian, Moslem, or Jew, are the sole legitimate participants in decisions affecting tax rates, criminal laws, national security, and all the other aspects of managing a modern nation-state. But the dream of Zion, unlike the nation-state of Israel, is the property of the Jewish People. It is not a dream that is accessible to all Israelis whatever their religion. It is accessible, instead, to all Jews, whatever their location. It is a dream that depends upon a specific religious understanding; it makes no claims to being a universal dream, accessible to all men everywhere.

Now, if I suggest that Zion remains a dream even after the creation of the State, I obviously suggest that the dream of Zion has not yet been fulfilled; specifically, that the creation of the State of Israel did not fulfill the dream of Zion. Such a suggestion may easily be interpreted as an ideological criticism of the State. That is not, in any sense, my in-

tention. The dream of Zion, as I understand it, was not intended as a realizable dream, not until *aḥarit hayamim*, until the end of days, that is to say, until the Messianic era. The Lovers of Zion who created the State may actually have supposed that it was Zion they were building, or may simply have recognized the power of the myth of Zion. And we, the witnesses, may have been so stunned by the reality of the State that for us time genuinely stopped, and it is easy to confuse the stopping of time with the end of days. But time has now surely begun again. Until the time, or final end of time, of the Messiah, Zion is an aspiration which informs the behavior of those who view themselves as children of the Covenant.

The question that arises is whether Zion is a reasonable, a plausible aspiration for those who have remained absent from the Land that had been so closely identified, in custom and in language, in thought and in behavior, with the aspiration. The question, in short, concerns the relationship between the Land of Zion and the dream of Zion, between the place and the aspiration.

And here we enter a very difficult issue. For two thousand years, Jews have had a peculiar relationship to place. It has been a central characteristic of our People, throughout its dispersion, that physical place was a peripheral concern. Indeed, we may suggest that in those times and places where Jews began to view place as important, began to take seriously the place where they found themselves, they both violated the traditional Jewish perspective and left themselves open to disappointment and danger. Which is all by way of saying that place, at least outside of the land of Zion, was Exile, and that for a Jew to forget that outside the land he is inevitably and irrevocably in Exile is scarcely less a departure from the central Judaic understanding than for him to forget Jerusalem.

So long as Israel was not a place, it was not necessary to distinguish the place and the dream. Hence, all Jews were, in effect, in Exile, for there was no place where Jews were—save for a handful in the Land—where Exile was not. What we must now begin to ask ourselves is whether that historic condition has changed, and, if it has, in what respects. But to ask the question presupposes that we know what we mean when we say “Exile,” when we say “Zion.”

Exile is not a geographic circumstance; it is a religious conviction. The geographic circumstance commonly, but mistakenly, associated with Exile is properly known as the Diaspora. But if Exile be a religious conviction, is not also Zion? The one cannot be understood without the other. Zion is the aspiration to which we are bound; Exile is our certain knowledge that the aspiration is not ours to realize.

Let us accept this, at least tentatively, as a framework within which to advance the discussion, a framework which quite obviously needs sub-

stantial additional detail before it can be properly assessed. But even with only this fragile, tentative framework as a guide, we can, I think, begin to sort out the present confusion, a confusion that deals centrally with the impingement of the modern nation-state of Israel on the Zion-Exile dialectic.

It is, for example, perfectly apparent that many people, and especially non-Israeli Jews, measure and judge Israel according to standards derived, not from the experience of normal nations, but according to criteria derived from the Zionist aspiration. This imposes very heavy, and largely unrealistic, demands on the State of Israel, on its governors and on its citizens. The early Zionist thinkers were, for the most part, innocent of any such confusion. In the main, they understood that the nation-state of Israel would, at best, provide the necessary precondition for the pursuit of the Zionist aspiration. By itself, it would not, and could not, be a sufficient condition for the achievement of that aspiration, since, by definition, the aspiration was not susceptible of achievement. Man searches for God, more or less creatively, more or less diligently, but the moment he finds God, time stops, and that is what is meant by the end of days. In the normal reckoning of time, the search is the most that we are promised, the search is its own reward and its own justification. To suppose that the creation of a nation-state, no matter how enlightened its government or how humane its people, is the end of the search, is to call what may be a beginning an end, thereby to misread the past and to mislead the future.

But if Zion and Israel not be one, then what is their relationship? The wisdom of the Zionist theoreticians lay in their recognition that, without the place called Israel, the dream of Zion could not indefinitely be sustained, the aspiration not fully expressed. There were those who argued against this position, who had become so accustomed to Exile that all thought of Zion was neglected. There was a point to the position of some of these. They correctly saw that if the dream were ever to be given concrete form, many would forget the distinction between place and dream, and, having inherited the place, would forget the dream. In their view, it would be easier, far easier, to sustain and nurture the dream away from the place.

The response of the Zionists was two-fold. First, they argued on wholly pragmatic grounds that, quite apart from the traditional dialectic, and the need to maintain it, Jews were faced with an urgent need for sanctuary. In this view, a place was wanted, not to pursue the dream, or to preserve the dialectic, but to save Jews. Since no place not predominantly Jewish was likely to volunteer for the role, a Jewish state had to be built, whatever the costs to theory, and, if Jews were to engage in state-making, it was in Palestine that they were most likely to succeed.

The second response of the Zionists went beyond the notion of Israel as sanctuary. They correctly perceived that, without a place, the dream of Zion would soon become a fantasy. While admitting that there were risks attached to the appearance of giving Zion a name and a government, a constabulary and a tax system, they argued that the risks of doing nothing were incalculably greater.

And so Israel came to be, and the attendant confusion is ours now to sort out. For even if it be agreed that the difference between dream and place needs once again to be asserted, the nature of that difference cannot be thought so simple as it was when the place itself was a dream, the same or a different dream. What, then, can now be said?

III

First: The State of Israel is a preeminent expression of the Jewish nation. Accordingly, the responsibility for its survival falls squarely on the shoulders of the entire Jewish People. Responsibility for insuring the survival of the State is to be distinguished from participation in its management, however difficult the distinction may be to draw in actual practice. It is as if all Jews, everywhere, were to acknowledge the desirability of permitting some Jews, somewhere, to engage in the business of state-making and state-management, and were to guarantee those Jews support in their effort. This guarantee derives from several sources, including generosity, including a self-interest born of the recognition of the diverse contributions which Israel may, and does, make to all Jews, including, finally, our sense that Israel is, withall, a Jewish vessel, and not merely a demographic phenomenon. If Israel is more than incidentally Jewish, as it surely is and seeks to be, then we are all bound to help maximize its chances for Judaic success.

Second: If the State of Israel is a preeminent expression of the Jewish People, but is not the end towards which Jewish history is tending, then it follows that the State of Israel cannot speak for the Jewish People as a whole. The unfortunate fact, however, is that no one else can speak for the Jewish People, and every effort to create some sort of organizational framework which will permit the Jews to speak with a concerted voice has provided to be little more than a platform for one would-be spokesman or another. This is almost inevitably the case in a world where the interests of the State of Israel and the interests of the Jewish People are difficult to disentangle, and that is the sort of world we shall have until the survival of the State of Israel can be taken for granted. Which is to say, in the present circumstances, whenever Israel chooses to assert its views on a subject in which its interests are somehow involved, all of us are inclined to defer to those views. But the present circumstances are not, let us hope, permanent circumstances, and the day may yet come when we shall have to invent a mechanism for dis-

tinguishing, at the official level, between the interests of the People and the interests of the State. In the meanwhile, regrettably, we have been developing the bad habit of deference, and, understandable thought it be, we may find that when the need has long since disappeared, we are still stuck with the habit.

As an illustration of what I have in mind here, I might point to the hypothetical possibility that the relations of the State of Israel with other nations might force Israel into a posture with respect to the Jewish populations of those nations which, from the perspective of the Jewish People as a whole, would be ill-advised. In the present climate, the security of the State remains the paramount concern, and though we may argue, in any specific instance, with Israel's definition of her security needs, in the end we must recognize that Israel has the right to make the binding determination for herself. In the hoped-for future climate, other and differing perspectives and definitions will require a channel for their expression.

This is, after all, not so radical a statement. In a limited sense, the distinction between State and People is understood in Israel, and translated into official policy. Thus, the reason that the State of Israel is called a "state" rather than a "nation" is precisely that it is perceived as a political expression of the Jewish nation. In theory, at least, the Jewish nation might create a number of states. In practice, of course, we have quite enough on our hands with the one State, but the theory nonetheless asserts that the State of Israel is a state of the Jewish nation. And, in Israel today, there is some effort to distinguish between national institutions (*mosdot l'umiot*) and state institutions (*mosdot mediniot*). The Hebrew University, for example, is a national institution, and one way of answering Israelis who complain about the high proportion of allegedly foreign students at the University is to remind them that the standing of Jews, from whatever country, with respect to national institutions, is an equivalent standing. The University, for practical reasons, is located in the State of Israel; in theory, at least, it could be located anywhere, for it is the possession of the Jewish nation. So, too, and properly, the Jewish Agency, since its chief responsibility is the care of dispossessed Jews. Not so the Israel Defense Forces, or the Knesset.

The distinction is not sharply drawn, and is not, I regret, energetically maintained. But it is available, and we ought, I believe, make more ample use of it.

Third: The State of Israel, in diverse ways, makes claims upon the Jewish People. I have already said that those claims must be honored. But the State also makes claims upon the Jewish tradition, as it were, and while those claims do not much effect non-Israeli Jews one way or the other, they do create certain internal difficulties within Israel, which Israel will have to deal with. Thus: The State of Israel has as its anthem

a song which is the collective property of the Jewish People, more the song of Zion than of a state. Very serious problems are raised when the State of Israel suggests to its citizens, in their role as citizens of the State, that they sing a song which is full of specific references to Zion and to the Jewish People. One is bound to ask whether even the most docile Arab citizen of Israel can properly sing, or be expected to sing, that song as his own. The words of the song speak of a two-thousand-year-old dream, of eyes turned Eastward, and so on. It is a song which expresses the specific sensibility of Jews as Jews, not of Jews as citizens of a state, even of a Jewish state. So, too, Israel's flag, incorporating as it does, a central symbol of the Jews as a symbol of the State.

There are numerous other ways in which the impingement of Israel on the Jewish People is made manifest, ranging from the proper role of religion in the State, to the responsibilities of the State for stimulating Jewish consciousness in the public schools, and so on. There are surely many points at which it is simply impossible to sort out the symbols, assigning them intelligently either to the State or to the People. To which, for example, does Massadah belong? The overlap between the symbols of the State and the symbols of the nation will always—it is to be hoped—be substantial. But it will never, nor ought it be, complete, and one of the tasks which awaits is to define which of our symbols are, in today's and tomorrow's circumstances, usable, and by whom.

IV

But if the existence of a State makes the relationship between the citizens of that State and the Jewish nation problematic, how much more problematic still does it make the relationship between the State and its non-citizen affiliates. In the conventional understanding, the matter is not so difficult. Now that Israel is available, is it proper for people consciously and willingly to pursue the Exilic experience? Are not all non-Jews, of their own volition, second-class citizens of the Jewish nation?

The question seems to answer itself, and yet, I find myself uncertain. The question, for example, introduces a definition of Exile that is not mine. If we are to sort out our terms, then what is really meant is whether any sense can be made of the Diaspora at this point in time. For just as Israel is not and cannot be Zion, so Exile is a situation of Jews wherever they are, whether in the Diaspora or in Israel itself. Jews who are in Israel are also, then, in Exile, or ought to be. Ought Jews in the Diaspora, themselves also in Exile, seek to be in Israel?

There are many who argue, on pragmatic grounds, that now and for the foreseeable future, Israel depends quite heavily on the financial and political support of Diaspora Jewry. That is an entirely plausible answer, so far as it goes. But it does not seem to me to go far enough. Israel needs Diaspora Jewry, by which I mean simply those Jews who

live outside Israel, as many, for reasons of taste and temper, will continue to do, and it needs them, in the terms of this discussion, in order to preserve its own awareness of Exile. This because the Exilic sense is more likely, on the whole, to be sustained outside of Israel's borders.

As for all nations, and especially nations a-building, there is before Israel the constant temptation of equating place and dream, of believing itself to be Zion. Israel may even be more susceptible to this error as a consequence of its conscious and unconscious use of the myth of Zion as a tool in a nation-building and in national integration. Lest the State of Israel be reduced to another of those nation-states whose boundaries describe the totality of their citizens' loyalties and whose governments lay exclusive claim to those loyalties, a Jewish nation that is not wholly comprehended by state boundaries and not totally within the orbit of the state government is needed. It is not that Diaspora Jews are more likely to be enlightened, or decent, or what have you, but simply that they serve, by their very existence, as a constant reminder that the political state, the place, is not the end of the Jewish quest—which is to say that they serve as the reminder, perhaps even the guardian, of Exile.

This does not mean that Exile is to be preferred to Israel. Quite the contrary, since, according to my understanding, Exile can happen, should happen, within Israel as well as outside it. Exile, again, is the knowledge that Zion is not ours to fashion; it is, therefore, what enables us to avoid the terrible error of confusing Zion with any present place or people. In this view, there are two polarities: the first is Zion and Exile, the second is Israel and the Diaspora. About the first, we are not given a choice. Jews who would be honest to their past and to their eschatology are seized of both Zion and Exile, and must not choose the one at the expense of the other, lest both crumble. Jews may, however, choose between Israel and the Diaspora.

V

In exercising that choice, free men will choose what they will. There are penalties attached to each, and opportunities. The central issue, it seems to me, is not so much the choice that is made, but the certainty that, wherever Jews are, they understand both the risks they run and the continuing need, wherever they be, to know that they are in Exile, to know that they are bound to labor for Zion's sake.

That is not so easy as it may sound. There is always a propensity for successful people to view themselves as in Zion. Jews, however, are supposed to know that there is no New Jerusalem—not in New York, not in Boston, not, ultimately, in the earthly Jerusalem itself.

There is no diminution of Israel's majesty here. The Israelis would surely be relieved to be viewed as mortal men, succeeding in their ef-

fort here, failing there, measured always—by others—according to standards derived from the normal lives of nations. Each nation has its own myths to sustain it; in Israel's case, the myth is largely Jewish myth. I am happy for that, despite the consequent confusion, and I hope that my readiness to associate myself, in diverse ways, with Israel, a readiness born of its commitment to our joint myth, will help to compensate for the confusion. I expect, further, that Israel's attachment to Jewish myth will, as it has thus far, permit the development of a nation and society that will do credit to us all. But I do not expect, let alone insist, that Israel become Zion.

If Jews retain their hold on the Exilic sense, if a less precarious Israel is enabled to assert its claims to life in temporal rather than transcendental terms, we shall all be better off. In such a world, the relationship between Israel's Jews and the Jews of the Diaspora will be easier to specify. At one level, that relationship will continue to be characterized by interdependence, by Israeli reliance on Diaspora Jewry for economic and political aid, by the reliance of Diaspora Jewry on Israel for cultural and educational aid. Such links are the logical consequences of our shared kinship, of the investment all Jews have in the fate of one another. At a different level, the Diaspora and Israel share, not by virtue of their location, but by virtue of their common commitment to the Jewish understanding, to the Zion-Exile dialectic here discussed.

This level will, as we know, prove the more difficult to sustain, not only because of the temptation to call the place where we live Zion, but also because as each of us labors towards Zion, we shall necessarily place our own characteristic imprint on our labors. If, and as Jews, in America, for example, we succeed in the present fledgling effort to make Jewish culture come alive, that culture will inevitably carry the stamp, "Made in America." A living culture must draw from the actual experiences of those who are its inventors and practitioners, and it simply will not do to imagine an American Jewish culture which expresses itself solely in dancing the hora or singing Israeli folk songs. Hence, insofar as we succeed in the present effort, we run the risk of drawing away from the developing culture of Israel.

The only solution that I can see is also the best solution. It goes a good deal beyond the obvious point that a serious exposure to Israel must become a part of the natural experience of every American Jew. It is, in addition, that on both our parts, that which we share as Jews—specifically, our Book, our past, our wrestling with God—be made central aspects of the cultures we now seek to create. Both Diaspora and Israeli Jewry are, at the present time, in need of new sustaining myths, for the myth of pioneering resettlement has run its course, and the myth of America as the New Jerusalem has surely run its. In the process of developing new myths, is there not, then, much to be said for a con-

scious effort by the leaders of both communities to use the same materials, materials which, in any case, they share? Only so can the underlying unity of Jews be preserved in the face of disparate cultural development. Only so, therefore, can the dialectic which is the business of Jews be remembered and sustained.

These are not easy matters to think about, much less to deal with. As I pointed out at the beginning of this discussion, it is only now that we can begin to afford ourselves the luxury of thinking about them, so preoccupied have we been with more elemental needs.

I am, in any case, no longer persuaded that the metaphor of Moses with which I began my book, and this discussion, is apt. I think I came to it when I did because I did not have in mind the distinctions I have here tried to develop. Having come upon those distinctions, I think we can understand Israel, as it is and as it may yet be, more properly. Israel suffers, as do all successful revolutions, from its own success. Success is, after all, almost the worst thing that can happen to a revolution—the worst, of course, being failure. It is when the revolution is victorious that we learn that it promised more than it delivered; every revolution does. What Israel promised was Zion, and that it could not deliver. Out of that failure, I believe it not too much to hope that the quest for Zion can now be resumed, and with it, as always, the certainty of Exile. That may be thought tragic; for myself, I find the greater tragedy in those who idly suppose that Exile is over, and that Zion is where they are. The acceptance of Zion and Exile is not tragic, but noble, and it is the destiny of the Jewish nation, in whatever place the citizens of that nation affirm it.

Approaching the Holocaust

ELIEZER BERKOVITS

IT WOULD SEEM THAT THERE ARE TWO POSSIBLE approaches to the Holocaust of European Jewry. There is the attitude of pious submission to it as a manifestation of the Divine will. Then there is also the more frequent attitude of the one who questions and doubts, a position that may ultimately lead to outright rebellion against the very idea of a beneficent providence. The rebellion may be quite deep-reaching, in which case it may appear as the Jewish version of a contemporary radical theology. Its last word may be that God is dead, and life absurd. In truth, however, the decisive question is: Who is the person who relates himself to this awesome issue? Is it the one who actually experienced it in his own body and soul? One who actually entered the hell of the ghettos, the concentration camps and the crematoria, himself, with his wife and children, with his family and friends, with innumerable fellow Jews from all over Europe, who lived, suffered, endured or perished there? Or is it someone who read about it, heard about it, may have, perhaps, even experienced it in his imagination identifying himself with it? The response of these two cannot—dare not—be the same.

Those who were there responded on the basis of their own experience, which was unique, incomparable, and stands in all human history in a category by itself. Those who were not there, may they identify themselves ever so deeply with the sufferings of the victims, their experience remains forever a mere vicarious shadow of the actual event, that is as removed from the reality of the Holocaust as is the rather comfortable study of the radical theologians of our day from the universe of the concentration camps and crematoria. Their response, based on their own vicarious experience, will be as shadowy and unreal as their experience. Needless to say, what is said about the rebellion of the radical theologian applies with equal validity to the pious submission to, and the acceptance of, the Holocaust as an act of faith by those who were not there. Their response is no less unrelated to the actual event than the response of the rebels and disbelievers. Neither of them succeeds in establishing genuine contact with the world of the *Shoah*.

Those of us who were not there must pay attention, before all else, to the responses of those who were there, which alone are the authentic ones. Many who were there lost their faith. I can understand them. Hell, worse than Dante's, was their lot. I believe that God, Himself, under-

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stands them and does not hold their loss of faith against them. Such is my faith in God. Can I, therefore, adopt their attitude for myself and rebel and reject? I was not there myself. I am not Job. I am only his brother. I cannot reject because there were others, too, in their thousands, in their tens of thousands, who were there and did not lose their faith, who accepted what happened to them in awesome submission to the will of God. I, who was not there, cannot reject, because to reject would be a desecration of the sacrifice of the myriads who accepted their lot in faith. How dare I reject, if they accepted? Neither can I accept. I who was not there, because I was not there, dare not accept, dare not submit, because my brothers in their tens of thousands, who did go through that hell, did rebel and did reject. How dare I, who was not there, accept their super-human suffering and submit to it in faith?

I stand in awe before the memory of the *K'doshim* who walked into the gas chambers with the *Ani Ma'amin*—I believe!—on their lips. How dare I question, if they did not question. I believe because they believed. And I stand in awe before the *K'doshim*, before the memory of the untold suffering of innocent human beings who walked to the gas chambers without faith, because what was imposed upon them was more than man can endure. They could not believe any more—and now I do not know how to believe because I understand so well their disbelief. In fact, I find it easier to understand the loss of faith in the “Kz” than the faith preserved and affirmed. The faith affirmed was superhuman; the loss of faith—in the circumstances—human. Since I am only human, what is human is nearer to me than is the super-human. The faith is holy; but so also are the disbelief and the religious rebellion of the concentration camps holy. The disbelief was not intellectual, but faith crushed, shattered, pulverized. And faith murdered a millionfold is holy disbelief. Those who were not there, and yet readily accept the Holocaust as the will of God that must not be questioned, desecrate the holy disbelief of those whose faith was murdered. And those who were not there and yet join with self-assurance the rank of the disbelievers, desecrate the holy faith of the believers.

One may, perhaps, go even further and say: The pious believer, who was not there, but who meekly submits, not to his own destruction, but to that of six millions of his brethren, insults with his faith the faith of the concentration camps. The *K'doshim*, who affirmed their faith in the God of Israel in the light of the doom that surrounded them, may well say to such an eager believer: “What do you know about believing, about having faith? How dare you submit into suffering that is not yours? Calm down and be silent.” But they, too, who were not there, and yet declare from the house-tops their disbelief in the God of Israel, insult the holy disbelief of the concentration camps. They who lost their faith there may well turn to our radical theologians: “How dare you

“speak about loss of faith, what do *you* know about losing faith, you who have never known what we have known, who never experienced what we have experienced!” In the presence of the holy faith of the crematoria, the ready faith of those who were not there is vulgarity. But the disbelief of the sophisticated intellectual in the midst of an affluent society—in the light of the holy disbelief of the crematoria—that is obscenity.

We are not Job and we dare not speak and respond as if we were. We are only Job's brother. We must believe, because our brother Job believed; and we must question, because our brother Job so often could not believe any more. This is not a comfortable situation; but it is our condition in this era after the Holocaust. This must not be our last word. Rather, it is the very first one with which we stand at the threshold to an adequate response to the *Shoah*—if there be one. It is from this threshold alone that the break-in and the break-through must come. It must come without the desecration of the holy faith or of the holy loss of faith of the European hell of the Jewish people. And if there be no break-through, the honest thing is to remain living at the threshold. If there is no answer, it is better to live without it than to find peace either in the sham of an insensitive faith or in the humbug of a disbelief that has eaten its fill.

Typical Jewish Misunderstandings of Christianity

EUGENE FISHER

IN THE COURSE OF MY STUDIES AND OF MANY dialogues with my Jewish colleagues, it has become apparent that there exist among them a number of commonly held misunderstandings concerning the nature of Christianity. This is, of course, not surprising when one considers the equally great misunderstandings which persist among Christians regarding the nature of their religion. Yet so prevalent are some of these views in Jewish circles that the careful observer can only conclude that they are not only interrelated, but may stem from a common source in the history of Jewish-Christian relations.

The aim of this paper is neither rebuttal nor exhaustive analysis. Rather, it is a position paper, offering examples of these misunderstandings and a possible explanation for their popularity today.

A. The Making of a Myth

The categories which I shall offer as those underlying much of modern Jewish scholarship in its attitude toward Christianity have their roots in 19th Century Germany. For it was the German academic community which fused Hegelian Idealism and Social Darwinism into a philosophical language tool for the analysis of scripture, religion and history. It was German-Jewish scholarship which reacted with the Science of Judaism, utilizing that same tool for its own apologetic. Both groups saw history in terms of the Hegelian stages of thesis, antithesis, synthesis. The former posited Christianity as the ultimate stage in world history. With some, like Hegel himself, it was specifically Christian Germany which was the pinnacle of man's evolution.¹ Since this approach implicitly denigrated Judaism to the level of a vestigial anachronism, the latter reacted by placing prophetic ethics at the pinnacle of human achievement. This view, of course, reduced Christianity and Western civilization to the level of an aberrant offshoot from normative Judaism.

The symbol of the Christian branch of this polemic has become Julius Wellhausen,² who saw the Temple priesthood and later Talmudic

1. Hegel states, for example: "The German Spirit is the Spirit of the New World. Its aim is the realization of absolute Truth as the unlimited self-determination of Freedom." See, *The Philosophy of History*, tr. by J. Sibree (New York: Willey Books, 1944).

2. Julius Wellhausen, *Geschichte Israels* (1878) published in 2nd Ed. (1883) as *Prolegomena zur Geschichte Israels*.

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legislation as corruptions of the original, nobly primitive, prophetic ethical monotheism. The main target of such romantic, pseudo-scientific theorizing was, of course, not Judaism but Roman Catholicism, with its hierarchical priesthood, dogmas and volumes of Canon Law. Indeed, the dim view of Scripture studies taken by the Church until recently can be seen as a reaction to such sophisticated barbs.

The reaction of the freshly emancipated Jews of Germany was even more dramatic. Eager to prove their mettle, the Jewish intellectuals began a movement that was to become known as *Wissenschaft des Judenthums*. It took its name from the Society for the Culture and Science of the Jews, founded in Berlin in 1819 by Eduard Gans, Moses Moser and Leopold Zunz.³

In the first volume of the Journal of this Society there appeared an essay by Immanuel Wolf setting the tone for all that followed.⁴ Wolf maintains that the "religious idea" of Judaism is the key to the interpretation of Jewish history. Though pummelled into isolation by the vicissitudes of the Galut, the Jew has survived "for the sake of" this idea which must be admitted to be of "the essence of humanity itself."

The nationalistic implications of this reaction to German Nationalism are important for the understanding of the growth of Zionism, whether the political variety of Herzl or the cultural form celebrated in the works of Ahad Haam and Martin Buber. On the opposite pole, the universalist, ethical content of the idea can be seen in such phrases as "Germans of the Mosaic persuasion," the early reluctance of American Reform Judaism to embrace Zionism, and (curiously enough) the popularity of Buber's existential mysticism.

Nachman Krochmal (1785–1840), in his *Guide for the Perplexed of Our Time*, assumed the dialectical cycle of Hegel as the dynamic of history. While each culture seeks a particular idea, he argues, Judaism alone seeks the Absolute Idea. Hence, Judaism, alone, has been able to break the cycle of birth and decay to which all other cultures are prey.

In 1835, Abraham Geiger launched the *Journal of Jewish Theology*, using its pages to develop his notion of a Jewish "genius for religion" embodied in the ethics of the prophets. Since the Science of Judaism founded the Jewish identity upon its ethical excellence, it was in that sphere that Judaism had to be established as superior. The Israeli government recently echoed this notion, using it as the rationale for the re-

3. The reaction to Christian polemic was, of course, only one pole of the motivation behind the Science of Judaism. Deeper was the need for new definitions of self-identity in the face of the dangers of assimilation. See, H. M. Sachar, *The Course of Modern Jewish History* (N.Y.: Dell, 1967), and David Rudavsky, *Emancipation and Adjustment* (New York: Diplomatic Press, 1967). Ahad Haam's essay "Imitation and Assimilation" reveals the difficulties of the period.

4. Immanuel Wolf, "On the Concept of a Science of Judaism," (1822), tr. by Lionel Kochan, *Yearbook II* (London: Leo Baeck Institute, 1957), pp. 194–204.

jection of capital punishment for the extremist who machine-gunned innocent victims at the Lod airport.

Although European Judaism gradually broke out of the Hegelian mold through the works of such existentialists as Shestov, Buber and Rosenzweig, the nature of the debate with Christianity had become so firmly established that the shift in attitude became more one of terminology than of basic understanding. It is important to note that the questions raised by the Science of Judaism, especially in terms of the Jewish articulation of its own self-concept, framed the intellectual experience of American Jewry in its crucial, formative stages.

The thinkers of the Science of Judaism, in their direct contact with Christianity, were limited mainly to the sphere of German Protestantism. (Indeed, Reform Judaism patterned much of its change on the model of the German Lutheran Church.) Unfortunately, then, many of their views were one-sided.⁵ Either Protestant doctrine was viewed as normative, or Protestant polemics against Catholicism were rather uncritically swallowed whole. What was, and is, missing in much of the Jewish understanding of Christianity, is a sense of the complexity of Christian belief, the variety of practice, and the nuances and historical contexts which alone can give flesh to the bare bones of doctrine.⁶

B. A Modern Jewish Myth

The context and tone of the Jewish-Christian dialogue has changed over the centuries. Rabbi Henry Siegman of the Synagogue Council of America, for example, writes, in a recent issue of *JUDAISM*, that "the arguments (against dialogue) rarely reveal the deep-seated fears which underlie the reservations and objections raised by religious traditionalists" (Winter, 1971, p. 93). The major fear, as Rabbi Siegman sees it, is "the fear of conversionary motives imputed to the Church." To this he replies that there is nothing intellectually or morally offensive about the desire to convert and that there is nothing in the Jewish character of history which would lead one to believe "that Jews might in fact be converted to the Christian faith as a result of these interreligious conversations" (pp. 96-97). While admitting the seriousness of the charges of Christian implication in the Holocaust (made, for example, by the

5. See, for example, such disparate writers as Isidore Epstein, *Judaism* (Penguin Books, 1959), p. 12, and Julius Guttman, *Philosophies of Judaism* (New York: Anchor, 1964), pp. 3-19.

6. e.g., Max I. Dimont, *Jews, God and History* (New York: Simon and Schuster, 1962). The pervasiveness of such views can be seen from the fact that this work was a best seller. Dimont's *The Indestructible Jews* (New York: World, 1971) echoes Geiger in speaking of a Jewish "manifest destiny" which moves in three "acts" coached by a Divine Director. "Whereas each sunken civilization remains submerged, the Jews emerge time and again from seeming doom, riding the crest of a new civilization rolling in where the old one once flowed."

Orthodox theologian, Eliezer Berkovits, in an article in *JUDAISM*, Winter, 1966), Rabbi Siegman still concludes:

And yet, those who nevertheless believe in the possibility—even the necessity—of dialogue, do so because the Church speaks with many voices. There are men within the Church today who are deeply sensitive to the implications of the holocaust and to whom we should apply the Talmudic directive *haba letaher messayin oto* (pp. 98–99).

My own point is not that history does not confirm the fears of Berkovits concerning the treachery of the Church, for it certainly does. Rather, I would argue that what is needed is an awareness of the complex reality of Christian belief and practice such as that manifested by Rabbi Siegman. Because the history of Christianity is practically coterminous with the history of Western man, *no* single generalization can define the “essence” of Christianity. Just as pluralism is necessary for the working of a democracy, so a pluralism of insight is necessary for the understanding of the multi-faceted phenomena we call “Christianity.”

It was precisely this fact that the Science of Judaism, trained in the oversimplifications of the Hegelian dialectic, found most difficult to grasp. And it is just this point that today remains the greatest obstacle to the understanding of Christianity by Jewish thinkers. (Indeed, most Christians, enwrapped in the demands of their own sectarian interests, likewise find it difficult to view this complex reality as complex.)

Pre-Haskalah Judaism had a different approach in its polemic against Christianity than does modern Judaism. The medieval Jewish apologist, Isaac b. Abraham of Trokki (1533–1594) strove, in classical Hebrew style, to demonstrate the superiority of his own faith “with a minimum of diatribe,” in his work, *Hizzuk Emunah* (Faith Strengthened). On the Christian dictum that love, even of one’s enemies, is the only way to break the self-escalating circle of violence and hate, Isaac comments that Jews are also prohibited from hating their enemies:

Matthew 5:43: “Ye have heard that it has been said, ‘Thou shalt love thy neighbor and hate thine enemy.’” Truly, you also see in this verse that Matthew has made a false statement, for nowhere in the Pentateuch or the Prophets have we found the statement that you should hate your enemies. On the contrary, it is written in Exodus 23:4–5: “If you meet your enemy’s ox or his ass going astray, you shall surely bring it back to him again.”⁷

A more recent Jewish apologist, Dr. Trude Weiss-Rosmarin, editor of *The Spectator* magazine, takes a much more aggressive approach to the same text. She maintains that the Christian ethic is here both unreasonable and unnatural. Note the Neo-Freudian terminology:

It is true (that) Jesus demanded, by going beyond the letter of the Jewish law and without taking into consideration human nature, “love your enemies and pray for your persecutors” (Matt. 5:44). However, of

7. Jacob R. Marcus, *The Jew in the Medieval World* (New York: Atheneum, 1969), pp. 422–4.

what avail is this teaching if its promulgator also taught: "If anyone comes to me without hating his own father and mother . . . he cannot be a disciple of mine" (Luke 14:26)? Jewish law *does not* command that one love his adversary for this would be unnatural. It does, however, command to refrain from wreaking vengeance upon him and to assist him moreover in an emergency, for this is to be expected of a human being.⁸

The criterion for the validity of a religion has become, not conformance to divine revelation, but "naturalness."

Note that Dr. Rosmarin subtly equates the active notion of returning love for hate with the passive notion of not resisting evil at all. I know of no Christian denomination which advocates total passivity in the face of evil. Rather, the point among Christian pacifists is that it is impossible to defeat evil and hatred by becoming evil and hate-filled oneself. One can see the difficulties of generalizations such as Dr. Rosmarin's when one considers that pacifism is itself a minority position within the churches.

The approach often taken to the discussion of asceticism among Jewish scholars offers us another striking example of the myth in action. Extremes are set up, with care taken to place Judaism securely in the "reasonable" center. Christianity, then, is relegated to the "otherworldly" pole. Ahad Haam, whose popularity and influence as a writer are well attested, made of this technique an art. He posits a Prophetic and Pharisaic golden mean between the extremes of the Sadducees and the Essenes, i.e., between "the sovereignty of the flesh and its annihilation."⁹

Ahad Haam's opening definition of asceticism is of significance:

The psychological tendency to . . . turn from the pleasures of the world with hatred and contempt, and to regard every material good thing of life as something evil and degraded, to be avoided by him who cares for his soul's health (p. 139).

Note again the implication of mental illness. What occurs in our modern dialogues is, I believe, reflective of such views as Ahad Haam's. The very term "asceticism" tends to conjure up, on the Jewish side, images of flagellation and starving monks. Since the emotional nuances of the term are not the same for Christians (necessarily), the result is a heated discussion often leading nowhere.

The Jewish scholar begins by defining asceticism from its extreme. It follows that for him or her it becomes impossible to admit of an ascetic trend within "normative Judaism." (This term, itself, represents a vast over-simplification of a complex reality.) For to admit a valid ascetic trend within Judaism would be the same as admitting an extremist, world-hating viewpoint as part of that heritage.

8. Trude Weiss-Rosmarin, *Judaism and Christianity: The Differences* (New York: Jonathan David, 1968), p. 142.

9. Ahad Haam, "Flesh and Spirit," tr. by Leon Simon, *Selected Essays of Ahad Haam* (New York: Meridian, 1962), p. 152.

The contrast between the approach of Ahad Haam and that of the medieval philosopher, Bahya ibn Pakuda, is illustrative of the impact of the Haskalah on Jewish thinking. Bahya begins with a morally neutral definition of asceticism and then establishes the extremes. For him there exist good and bad forms of asceticism, higher and lower, general and specific. The level on which an individual is counselled to engage in ascetic practices depends upon his character and potential:

General abstinence is that which is practised to improve our physical condition and keep our secular affairs in good order... Specific abstinence is that kind which Torah and Reason indicate for the welfare of our souls in the world to come... The plain meaning of abstinence is bridling the inner lust, voluntarily refraining from something that is in our power and which we have the opportunity to do—the abstinence being due to an obligatory motive.¹⁰

Because he does not include his value judgment in his definition, Bahya is able to embrace certain modes of ascetic practice, with the proper *kavanah* (intention), as morally acceptable and authentically Jewish. Ahad Haam, on the contrary, makes explicit the fact that he is defining a theological doctrine, not an ethical practice. The doctrine, of course, is not a Christian one but a Manichaean one. Unfortunately, many today erroneously ascribe it to Christianity.

Asceticism, so defined, is not a descriptive term for certain outward practices, but a name for the inner spring of conduct which prompts those practices; and thus we exclude all those phenomena which have (only) an external similarity... A man may renounce pleasure and yet not deserve the name of ascetic, because he . . . only refrains in order to avoid danger to his health . . . But true asceticism, as I have said, is that which has its source in hatred and contempt for the flesh.¹¹

Ascetic practices and doctrines have always existed within Judaism, though usually within stricter limits than in the Christian tradition. The “wise scholar,” according to the Talmud, for example, is one who studies not less than eighteen hours a day, a demand which would leave little time for the “pleasures of the world.” Fasting, on certain occasions, has been approved and practiced throughout Jewish history. And mortification of the body was even seen (after prayer and intensification of the performance of the *mizvot*) as a substitute for the Temple sacrifice—and, thus, clearly connected with atonement in a salvific sense. R. Sheshet prays (Ber. 17a):

Lord of all beings, it is manifest in Thy sight that at the time when the Temple was in existence, a man might sin and bring an offering, and though nothing was sacrificed from it save only its fat and its blood, nevertheless atonement was made for him. Now I have observed a fast, and my fat and blood have been reduced. May it be Thy will that my fat and blood which have been reduced be regarded as though they had been offered before Thee on the altar, and do Thou grant me Thy favor.

10. Bahya b. Joseph ibn Pakuda, *Duties of the Heart*, tr. by Moses Hyamson (Jerusalem: Feldheim, 5730/1970), V. II, pp. 288 ff.

11. Ahad Haam, *Op. cit.*, p. 139.

On the other hand, the discussion of the rabbis concerning the Nazirites reveals an opinion that extreme asceticism could actually be a sin against the body for which atonement must be made.¹²

There is a controversy today over whether or not Bahya was "ascetic." As we have seen, the resolution should be simple and straightforward. It is the emotional nuance of the term itself, and its involvement in the anti-Christian polemic, which gives heat to the discussion.

The argument from the Jewish side, when stripped of particulars, usually runs like this: Christianity is ascetic because it is other-worldly, and is based on the notion that faith alone, irrespective of one's actual, physical deeds, is necessary for salvation. (The latter statement, of course, equates a certain interpretation of the thought of Luther with that of all Christians.) The argument goes on to conclude that Christianity maintains that belief in a set of intellectual propositions (dogmas) can save man from sin. These beliefs, it is asserted, go back to Paul, not Jesus (who was really not such a bad guy at all). Paul was more Greek in his thinking, finally, than he was Jewish (Gamaliel notwithstanding). Judaism is then defined as the negative of these concepts. The catch-phrases are familiar: "deed rather than creed," "this-worldly and reasonable," "authentically within the tradition of the prophets," "uncorrupted by Hellenism," and so on.

There is truth to the argument. Leslie Dewart, for example, in *The Future of Belief* and *The Foundations of Belief*, has convincingly shown the pervasiveness of Hellenistic philosophy from the Patristic period through Scholasticism. The claim, however, cannot be made of the New Testament, or of recent theological developments, in the same proportions. The view of Christianity vis-à-vis Judaism, as sketched above, remains myth, not reality.

A full exposition of the set of misunderstandings which have gained the level of a *priori* truth for large portions of the Jewish community would be sufficient material for a large tome, and the appendix at the end of this article attempts to schematize some of the major misunderstandings and suggest possible origins for each. Here I can offer only a few appetizers.

Prof. Eliezer Berkovits writes, in a recent issue of JUDAISM, that "Christianity is an other-worldly religion. It has no use for this world and no respect for it" (Winter, 1971, p. 79). So convinced is he of the acceptance of this sweeping statement by the readership to whom he writes that he offers it without evidence of any kind. The statement, however, would come as a great shock to the authors of the *Constitution on the Church in the Modern World* for Vatican II.

The bishops would be even more shocked to learn that, according

12. Nedarim 10a; Sifri, Naso #30 (ed. Friedman, p. 10). See *Yerushalmi Kiddushin* IV, end.

to Christianity, the world is "corrupt" and humanity "unredeemed." Both statements represent denials of the Incarnation and the validity of Redemption. Both are fundamental heresies as far as the Church is concerned. Yet Berkovits can make the charges without feeling the slightest need to offer any documentation. "According to the compromise," he writes, "salvation applies only to the individual soul, the inner man; the world, history, remains unredeemed." Berkovits then refers to a view which he ascribes to Kierkegaard: "Faith is absurd because it is, and must be, outside of history. *From the Christian point of view, all history is Fall and all culture Fall into history*" (p. 80, italics mine). Here we have it, the myth in a nutshell! The Second Vatican Council, however, gives quite a different picture:

The joys and hopes, the griefs and anxieties of the men of this age, especially those who are poor or in any way afflicted, these are the joys and hopes, griefs and anxieties of the followers of Christ . . . That is why this community realizes that it is truly linked with mankind and its history by the deepest of bonds . . . Therefore, this council focuses its attention on the world of men . . . that world which is the theater of man's history, and the heir of his energies, his tragedies and his triumphs; that world which the Christian sees as created and sustained by its Maker's love, fallen indeed into the bondage of sin, *yet emancipated now by Christ* (italics mine) (NCWC trans., 1966, p. 513).

Clearly, there is a communication gap between us.

Despite the reality, myths such as that presented by Berkovits persist in the Jewish community. Martin Buber writes of the difference between *pistis* and *emunah*, the former implying a sterile faith in a solely intellectual set of propositions, the latter being the involvement of the whole person, in the context of his history and his community, with God. Guess which concept, for Buber, represents *the* Christian position?

Christianity speaks with many voices. Unfortunately, despite the fact that Buber perfected the art of dialogue, he listened to only a few of them. The ogre is, of course, St. Paul, whose "Hellenized" dogmatism "perverted" the essentially Jewish doctrine of Jesus:

I can connect the Pauline doctrine of faith . . . only with a peripheral Judaism, which was actually "Hellenistic." If we consider the Synoptic and Johannine dialogues . . . we immediately see (that Paul's doctrine) . . . was procured at the expense of the plain, concrete and situation-bound dialogicism of the original man of the Bible, who found eternity, not in the super-temporal spirit but in the depth of the actual moment. The Jesus of the genuine tradition still belongs to that, but the Jesus of the theology does no longer.¹³

13. Martin Buber, *Two Types of Faith* (New York: Harper Torchbooks, 1961), p. 34. Buber's approach is basically an existential version of that of Mendlesohn and the Science of Judaism. He states: "The difference between 'It is true' and the other 'we believe and know' is not that of two expressions of faith, but of two kinds of faith. For the first, faith is a position in which one stands, for the second it is an event which has occurred to one, or an act which one has effected or effects, or rather both at once" (p. 35).

Though he denounces Hegel, Buber was trained in the German methodology. He does to Scripture here just what Wellhausen did to it; he eisegetes into it the theological presuppositions of his own thought. He plugs a personalist existentialism into the areas which Wellhausen filled with Hegelian Idealism. Buber takes his view of Christianity from the perspective of North European Protestantism. The results are similar to what would happen if a Christian were to analyze Judaism from the perspective of the Karaites and Franz Rosenzweig.¹⁴

Professor David Rudavsky follows the pattern set by Buber when he states: "Many believe that if Jesus' preaching had not been infused with extraneous elements by Paul, Christianity, like Hassidism, might have remained within the fold of Judaism."¹⁵ The element of truth in this statement obscures its oversimplifications.

A further dynamic needs to be mentioned here. There is a tendency in some to infuse Christian doctrine with ideas actually belonging to such pseudo-Messiahs as Shabbetai Zevi. In this view, St. Paul's doctrine is seen as the equivalent of that of Nathan of Gaza, the "theologizer" of Shabbetai's movement. Again, Luther's statement *Fortiter pecca* (sin bravely) somehow loses its conclusion ("and believe more bravely still") and becomes equated with the Shabbettaian notion of the holiness of sin. Nathan's formulation maintains two justifications for Shabbetai Zevi's psychological weaknesses and excesses. First, since the Messianic Age has presumably arrived, all men are saved and it is impossible for them to sin, no matter what they do. Second, by committing evil one is not really sinning but plunging into the evil in order to wrest from it the divine sparks of the Shekhinah which have been entrapped into the shells of evil since the primal cataclysm of Creation.¹⁶ Neither of these rationalizations, however, has any analogies within Christianity.

That Luther's rhetorical statement means something entirely different from the way it is taken in Jewish circles is obvious as soon as one puts it back into a Christian context. Dillenberger and Welch comment:

This is . . . the assertion that God's mercy is continuous and inexhaustible. At the same time, where forgiveness does not issue in new life, it is doubtful that it is actually forgiveness. . . . It was from such a perspec-

14. In his preface to *Two Types*, Buber mentions four Christian theologians as influencing the development of this theory: Rudolf Bultmann, Albert Schweitzer, Rudolf Otto and Leonard Ragazo—note the German Protestants. Søren Kierkegaard was another strong influence. And Kierkegaard was definitely strongly ascetic, other-worldly and committed to a blind faith (the "leap") approach. Buber's error was in failing to view these men in the context of Christianity as a whole, rather than equating it with them.

15. Rudavsky, *Op. cit.*, p. 124.

16. See Gershom Scholem, *Major Trends in Jewish Mysticism* (New York: Schocken, 1961) and his article in *Commentary*, "The Holiness of Sin," (1971).

tive that Luther asserted "sin bravely, yet more bravely still believe." This is not a counsel to sin; it is the recognition that life involves sin, that at no point can man completely escape it. It is a counsel against those who are so afraid of sin that they refuse to act or participate freely in the events of life.¹⁷

Paul's lengthy condemnations of sins of every sort are famous for their passion and detail. And that his view of the Messianic Age was far different from that of Nathan of Gaza is seen from the fact that he, like Rabbinical Judaism following the demise of the Bar Kokhba revolt (in which R. Akiba proclaimed Bar Kokhba to be Messiah), strives earnestly to dissuade his followers from the idea that the Day of the Lord had come, or would come, in the foreseeable future (2 Thess. 2:12). Paul's ethic is maximalistic, not minimalistic. Freed from the bondage of sin through Jesus' resurrection, man must now assume the responsibility that goes along with freedom.

Lastly, a note on Luther's much maligned doctrine of justification by faith alone is in order, since many Jews ascribe it to all of Christianity. Dillenberger and Welch sum up the doctrine by stressing the fact that, for Luther, good works (not indulgences) are a *sine qua non* for justification. What Luther had in mind was to stress the constant mercy of God and to destroy the "merit badge" system of redemption in which one strives to pile up more "good deeds" on the scale of judgment than evil ones. Such "quantitative calculations" were, for Luther, repugnant.

John Calvin stated, in his *Institutes of the Christian Religion*, that "they who are justified by true faith, prove their justification, not by barren and imaginary resemblance of faith, but by obedience and good works" (III, xxvii, 12). Clearly, Christian thought has once again been somewhat manhandled to serve an apologetical purpose. The reality is far more complex than it appears on first glance.

The various misunderstandings are too numerous to discuss in detail in the present paper. Some are merely amusing, for example the charge that Mary functions as a Mother-Goddess within Roman Catholicism, or that Christianity is polytheistic (and, hence, pagan) because of the doctrine of the Trinity. More serious is the notion that Christians have placed mediators between the direct communication of God and man—i.e., Christ, the priesthood, and the Blessed Mother. For these, I would refer the reader to the appendix. Here I have attempted merely to introduce the idea that there is more under the surface of "Christian unity" than would appear from the outside. The differences between us should be clearly seen and delighted in by men of faith. They are a sign of the ever-abiding mystery and infinite intricacy of God's creation.

17. J. Dillenberger and C. Welch, *Protestant Christianity* (New York: Scribner, 1954), p. 41.

APPENDIX: THE STRUCTURE OF MODERN MYTH

The Misunderstanding

*Suggested Origin of the
Misunderstanding*

A. NATURE OF GOD:

1. Christianity is polytheistic because of the Trinity.
2. Christians place mediators between man and God (Christ, priests, Mary).
3. Mary as a Mother-Goddess.

1. Attempted use of the Wellhausen theory that monotheism represents a more sophisticated and reasonable approach to God. The charge of polytheism is ancient, e.g. Judah Halevi's *Sefer Hakuzari*. Christians regard the Trinity as "an absolute mystery which is not perspicuous to reason even after being revealed" (cf. K. Rabner, Ed., *Sacramentum Mundi* [New York, 1970], Vol. VI, pp. 297ff). The dynamic here can be compared to the Rabbinic statement that "all is foreseen, but freedom of choice is given" (Avot 3:16).

2. Taken over from the Protestant polemic against the Catholic priesthood and Mariology. Misunderstanding of the fact that Christ, like the Pharisees, was offering a substitute for Temple sacrifice through prayer and sacrament.

3. Again, taken over from the Protestant polemic against Catholicism, and assumed true.

B. NATURE OF FAITH:

1. Justification by Faith alone as an anti-ethical dictum.
2. Christianity has "dogma," Judaism has ethics as means of salvation.
3. Christianity espouses "blind faith;" Judaism is reasonable.
4. *Pistis* vs. *Emunah*

1. The Catholic polemic against Protestantism, based on a misreading.

2. Moses Mendelssohn. A half-truth which ignores the complexities of *both* traditions.

3. Has medieval precedents in Saadia and Halevi. Can function only by carefully ignoring the Scholastic tradition.

4. Martin Buber.

C. OTHERWORLDLINESS

1. Christianity as ascetic; Judaism as the golden mean.

1. This has basis in fact, e.g. monasticism, some phases of American revivalism, pietism, etc. Related to Myth B, 3. May stem from Protestant polemic against medieval Catholicism, but ends up as-

The Misunderstanding

2. Original Sin means:
 - a. "World" and "flesh" are inherently evil and wholly corrupt.
 - b. Fallen Man is determined, not free.
 - c. Good works are to no avail.
 - d. Christianity as pessimistic.

D. CHRISTIANITY BELIEVES IN demons and witches. Its sacraments are magical in function, e.g., Infant Baptism. Judaism is non-superstitious.

E. PAUL AS BAD GUY; Christianity as hellenistic Judaism.

F. PAUL AS EPILEPTIC WOMAN-hater.

G. CHRISTIANS BELIEVE THAT only Christians can be saved.

Suggested Origin of the Misunderstanding

suming that the positions of the Manichees and the Jansenists, declared heretical by the Church, are normative for Christianity.

2. These notions stem from a misunderstanding of Paul's use of *sarx* and *soma*; from a misunderstanding of Augustine's attack on Pelagianism; from medieval Jewish arguments, originally of the *argumentum ad absurdum* variety, later taken literally. They ignore the fact that Christ *redeemed* the fallen world, so it is holy, not corrupt (same dynamic as in Flood Story in Genesis). "Concupiscence" means the tendency to evil, not the destruction of free will. (Cf. *Yezzer Hara*)

Stems from confusing popular practice with official doctrine. Same process could be used to exploit Midrashic and Kabbalistic material (and would be just as invalid).—Also, a Protestant polemic against the medieval church.

The first made famous by Buber; the second a Protestant attack on Catholicism (with some justification).

Sheer neo-Freudian fancy. Must view Paul in the context of his times, e.g., *Wisdom of Ben Sirach*, Chaps. 7, 9, 22, 25, 42, etc.

Stems from misreading of Cyprian's phrase, *Extra Ecclesiam Nulla Salus*, which must be balanced with the official Church doctrine on the universal salvific Will of God. Interestingly, Halevi does the same thing when he restricts the "religious faculty" to Jews alone (*Sefer Hakuzari* I,47; I,95); though Halevi stresses the universality of moral law as salvific (I,111). Prophecy is still denied non-Jews.

The Orphan Syndrome

S. LEVIN

CHRISTIANS GENERALLY SEE THEIR FAITH AS A younger brother to Judaism, while Judaism sees Christianity as a daughter religion. In addition to brother-brother and mother-daughter relationships, there is also that of father-son, and these various explorations of familial themes illustrate the uncertainties of the Christian-Jewish connection.

The impetus to explore the relationship derives, not from familial devotion, but from the puzzlement of familial strife. The relationships between Christians and Jews, living within Europe's countries and their colonial extensions for two millenia, has been one of unremitting hostility. Is this endless hostility an accurate reflection of the usual relationships that obtain between siblings, between mother and daughter, father and son?

Among prominent Christians, Roy Eckardt is one of the relatively few who feel no enmity towards Jews or Israel. Quite the contrary. He titled his recent book *Elder and Younger Brothers*, writing that "The Covenant with the elder brother was established before the younger brother was ever born."¹

The problem of fraternal strife is the subject of his book, as is also the exploration of the relationship between the anti-Semitic boy and his elder brother. How is this possible if it is, in fact, true that the ever-hating one is a brother?

A brother in the flesh would, of course, be part of the Covenant, and "how is it possible that I could ever be included in the unbroken Covenant with Israel?" asks Eckardt.² The answer might seem perfectly simple: let him become a Jew and he, and most certainly his offspring, will be part of the Covenant. This obvious solution is not the one which Eckardt chooses. Not once, but scores of times, he comes up with variations on the theme that Gentiles can join the Covenant by becoming Christians, "no longer aliens in a foreign land, but fellow-citizens with God's people, members of God's household" (Eph. 2:19).³

This seems such a tortuous conclusion when conversion to Judaism is the obvious means of entering the covenantal family of Israel. Remaining outside of the family in the flesh presents difficulties in viewing Christians as younger brothers to Jews. Eckardt does not even consider

1. A. Roy Eckardt, *Elder and Younger Brothers* (New York: Scribner's 1967), p. 27.

2. *Ibid.*, p. 158.

3. *Ibid.*

the possibility that the supposed brothers might be foreigners and aliens to each other, and nowhere, not even in a footnote, does he suggest that Moslems are the youngest brothers.

A different theory is presented by Meir Ben-Horin, one which explains rather more satisfactorily the hostility between Christianity and Judaism. The latter is the mother religion and has given birth to various daughters: Christianity, Islam and, he suggests, the religion of Marxism. Why the hostility of the daughters? Ben-Horin suggests a reason for that of the first daughter and, by implication, it is held to be valid for the others.

Israel was to give birth, to be a bearer of tidings, but, a daughter having been born, the latter could not tolerate the presence of a second daughter and the fecund womb had to be shut up forever.

The more incomparable that which came from the womb, the more irreversible is the uselessness of that womb. Its precious deed must never be duplicated. The very thought of a second, or a third, or a fourth child is unthinkable where one-godhood (monotheism) is intimately linked to one-child-hood (monopaidism) . . . Israel was supremely fruitful once, but the birth it gave must be seen as proof of the mother's consequent infertility . . . (Christianity's hatred of Israel then is not because) it slew God, who is as wondrously alive after the deed as before the deed . . . but (because of) the Jewish People's demonstrated ability to continue functioning as parents.⁴

With the chief strength of Jews now established, not in their portable fatherland, the Torah, but in a physical land, Israel, anti-Semitism must, of necessity, become anti-Zionism. Israel is too fecund, and threatening once again to conceive and to give birth.

But is it in the nature of a daughter always to hate the mother? And if the daughter's chief concern is to prevent subsequent births, how is it that Christianity bears little malice towards Islam or Marxism?

Moreover, while one can interpret some Biblical passages in terms of Israel being a brother or sister nation to Moab or Egypt or Ethiopia, nowhere is there a Biblical view that Israel will be a mother to other nations. Only God is the parent of all nations; Israel does not play a paternal or maternal role.

The father-son relationship has been explored within a Freudian context. First the parties are assigned roles to suit the theory and then the Freudian conclusion follows inevitably. Seiden appropriately titles his book *The Paradox of Hate*, for he cannot explain this hate in a father-son context, except within a Freudian setting. First the roles:

Jews have traditionally been a people intoxicated by the idea of God the Father . . . [and Israel] imagined himself as a father to other nations of the world . . . As the Jew represents himself implicitly as the primordial or symbolic father of mankind, so in his imagination the de-

4. M. Ben-Horin, "Judaic-Zionism: Meaning Old and New," JUDAISM, XX, Summer 1971, pp. 298, 309, 301.

vout Christian accepts this representation, however reluctantly; he constantly envisions the Jew in such terms; and he proceeds, ironically, to dramatize himself—far more than he knows—as the Judaic image of a primordial son . . . anti-Semitism: the relationship between the Jew as the imaginary son . . . the terrible struggle between the Christian and the Jew is a conflict in which, unwittingly and unconsciously, the Jew must become an image of the feared and hated primordial father and the Christian an image of the hating and fearful primordial son . . . and in this manner, anti-Semitism has its origins, its motives, and its most dreadful consequences . . . [operating] by killing (or castrating) his father to assume his identity and strength, authority and life entirely for himself.⁵

Seiden adds further imagery in the form of the aged Ahasuerus, the Wandering Jew, repeatedly encountering and rejecting the Divine Son, or else killing little Hugh of Lincoln or Simon of Trent.

Both Seiden and Cohn, who present the same theory, draw attention to psychoanalysts who have interpreted anti-Semitism in this manner. Cohn interprets Jews as the wicked father, “slayers of a son, the suppressors of a new generation.”⁶ He sees the (Protocol) Elders of Zion as relevant in this connection, as “father figures. Their very name shows it.”⁷ He thinks of Hitler as a boy reacting against a Jewish-type father.

Where is the Freudian mother pitting son against father? Seiden and Cohn do not say. Could she be God, Torah, the Covenant? Where in the Hebrew Bible does Israel (rather than God) see itself as a father to other peoples? And is it really in the nature of a son to have such an unrelenting hatred for his father? Cohn does not ask the last question, but to Seiden it presents a paradox because

The Christian religion was introduced into the world two thousand years ago by Jesus Christ . . . it is remarkable that anti-Semitism should thus be associated principally with Christianity since, whatever it may owe to the philosophical systems of Plato and Aristotle, Christianity does, after all, originate in the Old Testament of the ancient Jews; the founder of the religion was himself a Jew, as was every one of his early disciples; and the Bible, on which the whole of our Christian civilization rests, is an avowedly Judaic book, the New Testament as well as the old.⁸

Cohn writes that “The Jewish religion is the parent religion out of which . . . Christianity developed.”⁹

This linear relationship, the most normal relationship in the world, is especially hard to understand as a source of unending hatred and can only be explained, in Seiden’s view, and in that of Cohn, as a ritual drama involving a father cooperating in his own slaughter by the son.

Elder and younger brothers, mother and daughter, father and son,

5. M. I. Seiden, *The Paradox of Hate* (New York: Yosselfoff, 1967), pp. 61, 63, 70, 72, 74.

6. N. Cohn, *Warrant for Genocide* (London: Eyre & Spottiswoode, 1967), pp. 259, 260.

7. Virtually the identical argument is reproduced in the article by Cohn, “The Myth of the Jewish World-Conspiracy,” *Commentary*, XLI, June, 1966, pp. 35 ff.

8. Seiden, *Op. cit.*, pp. 64, 37.

9. Cohn, *Warrant for Genocide*, p. 57.

none of these theories of relationship receive sanction from Hebrew Biblical sources and all fly in the face of the relationships which ordinarily prevail among people with such close family ties. All of them also ignore the critical role of Paul: Marriage broker? Custodian of orphans? Arranger of adoptions? All imply, or actually state, that Christianity is an offspring of Judaism and, hence, the theories of close family ties.

But what if Christianity is not a flesh relation to Judaism? The sharing of the word "God" (albeit with completely different conceptions of that word) by Christians and Jews, and the inclusion of an Old Testament within the covers of the same book as a New Testament, does not establish a flesh relationship. Indeed, one can take the view, most cogently argued by the late Prof. S. G. F. Brandon, of Manchester, that the Christianity (more correctly, the messianism) of Jesus died with the destruction of the Temple, while the rival and antagonistic Christianity of Paul, about Jesus, is what survives today and claims a flesh relationship to brother, mother or father.

This Christianity is not part of the family of Israel and its Christ is not the Jewish Jesus, but the Pagan Christ, who is none other than the mausoleum of the gods of the Middle East. For even at the time of Paul, the Greek gods were dying; they were no match for the God of Israel, the God who wrote so well and promised so much in His covenant with His people, His son.

Paul could not tolerate an orphan status for his beloved neighbours, the Greeks. As an alienated Jew, passionately devoted to Gentile causes (a phenomenon so well known today), Paul had to find a way of including his Greeks within the Covenant and family of Israel. They, also, had to be a chosen people, chosen by the only god who mattered at that time, the God of Israel. So he brought his orphaned neighbour to confront his own God. And he found a way, convincing to himself and his followers, and based on the sufficiency of Abrahamic faith, of attaching his Greeks to the God of Israel as sons of this God. "The spirit you have received is . . . a spirit that makes us sons, enabling us to cry Abba! Father . . . we are God's children; and if children, then heirs" (Rom. 8:15-17; Gal. 4:6, 7). "You, a wild olive, have been grafted in . . . and have come to share the same root and sap as the olive" (Rom. 11:17).

The Greeks and their Pauline inheritors, the whole of Christendom, are, thus, orphans; their pagan gods have died. They must have a new parent and Paul has fastened them, has grafted them, on to the stem and family of Israel, and without asking the opinion of Israel. Christians, then, are orphans, though they do not see themselves as such, nor even as stepchildren of the God of Israel, nor even as adopted children, but as natural sons of the God of Israel.

This view would have been convincing, had Jews succumbed to the centuries of Christian hate and disappeared. But the natural son sur-

vives and, as a consequence, in his heart of hearts, the Christian knows that he is not a natural son (like cruel neighbours, the real son has told him the truth), not even an adopted son, not even petitioning for adoption (the Jew, he knows, will not accept him as an adoptee on Pauline terms), but an orphan, with his father Zeus-Osiris-Apollo-Dionysius-Orpheus and his mother Ceres-Astarte-Diana-Isis-Demeter deceased.

He will try to convince himself that he has a real father in the God of Israel and that he is a younger brother to the People of Israel. He will call himself the New Israel, the True Israel, British Israel, the Covenant People, or Jehovah's Witnesses, and will reaffirm the 1965 Vatican II declaration that "The Church is the new people of God." For the Christian, the daily phrases, "God and His People," "God and His Church," do not refer to Jews, but do refer to the God of the Jews.

The argument is not convincing and these semantic contortions demonstrate the lack of conviction. The Christian remains an orphan, without a God for him to call his own, or even to share. It is an intolerable situation, and Halpern has correctly diagnosed that "Monotheism, not Christianity, is the specific cause of anti-Semitism."¹⁰ One god is not enough for children who are aliens to each other, not brothers in the flesh. An orphan, brought up by adoptive parents, imagines his own lost parents, whom he desperately seeks and constructs in fantasy.¹¹ Unlike children in the flesh, he is incurably, forever different. Herein is the origin of the permanent hatred. Christianity is a religion of orphans. Contrary to Paul, and to all Christian claims to this day, Christians can never join the family of Israel on Pauline terms, but only by becoming part of Israel in the flesh, by converting to Judaism.

This they do not want and the Pauline illusion they cannot have. What else is left? They can try to inherit and possess the God of Israel by destroying Israel, by killing and converting. Or, as in chess, they can immobilize and render impotent the People of Israel by checkmating their King. Hence, one reason why God is dead. By killing off the Jewish God, it becomes possible to elevate the Pagan Christ into the Number One position. Christians can then become his sons in the flesh. This mechanism has long been anticipated in the representations of Jesus as a Greek, by paintings of the infant Jesus uncircumcised, and by the attempts, in Germany, to provide Jesus with non-Jewish parents.

The Christian, then, must remain an orphan, and anti-Semitism must continue until he finds a father.

10. B. Halpern, "From Prejudice to Genocide," *Commentary*, XXXVIII, October, 1964, p. 84.

11. American Academy of Pediatrics, Committee on Adoption, "Identity Development in Adopted Children," *Pediatrics*, XLVII, 1971, p. 948.

Moses: Faith and Law

SHOLOM A. SINGER

AS ONE SCANS BIBLICAL AND RELIGIOUS LITERATURE, one realizes that faith and law are presented as two manifestations of a single Divine truth, each serving as a valid and authentic pathway to the Divine presence. There also is the awareness that the paths in themselves are different, at times even antithetical to each other. Nonetheless, both faith and law have an honored and exalted place in Judaism.¹

It might be said that law represents the evolutionary approach to Divine truth, while faith represents the revolutionary approach. The revolutionary is best exemplified and identified by its chiliastic and eschatological content. It is the purveyor of the faith-spirit-prophecy syndrome, with its millennial visions and promises. This special knowledge, concerning the "end of days," is imparted only to the prophet who is privy to the Divine mind. This privileged communication deals with ultimate designs for mankind and presupposes knowledge about the true nature of man, what he can and must do, or, more pointedly, what it is in his nature to do. On the basis of this knowledge, the exhortation comes to man to build, to fashion his world in a certain way.

As to the next question, how does one arrive at this goal and final destination—Judaism's answer seems to be that the vehicle to that end is the halakhah, the law. Thus, what is being proposed is an evolutionary means to achieve revolutionary ends. While the "end" may be viewed rhapsodically and ecstatically, the "means" are quite prosaic and ordinary, oftentimes tortuous and tedious. The law is measured, methodical, disciplined and deliberate. The spirit is meteoric, tempestuous and radical. Nevertheless, both find lodging within Judaism, despite their dissimilar natures.

It is my contention that Judaism was forced to opt for one of them, because of the ultimate irreconcilability between faith and law. Try as it did, it was unable to bring the two into a harmonious state of co-existence as equals within itself.

But it is, perhaps, most amazing of all that the paradoxical, two-fold path is realized in the single person of the "chief of the prophets" and the "greatest of the Law-givers," Moses. Microcosmically, Moses replicates the problem of the macrocosm, Israel. Law and spirit will come together in the one man. Both Torah and prophecy will find lodging in

1. See Hans-Joachim Kraus, *Worship in Israel* (1962), pp. 101ff, which provides a good introduction to the entire problem.

the same people and religion. Is it, perhaps, not too adventuresome to say that the resolution within Moses anticipates the resolution within Judaism? *Maaseh avot siman l'banim*. "That which transpires in the life of our ancestors is the key to the destiny of their children."

In exploring reasons why Moses, the law-giver, is also the chief prophet, one might say that the law cannot be known rationally.² It was not God's intention that man should know and accept the law, on the basis of rationality and philosophical appeal alone. Law is, foremost, the will of God and, thus, is Divinely revealed. Moreover, since only a fraction of the law could be revealed in the written text (i.e. the Five Books), the rest was imparted orally to Moses at Sinai, forming the Oral Law. Thus, Torah is truly, in its entirety, a gift of Divine revelation and it is interesting to note the lengths to which medieval Jewish philosophers go in defending the proposition that all Jews, when they experienced the Divine communication and revelation at Sinai, were of prophetic stature.³

The singular point that is made by the Bible and by subsequent commentators is that the law is rooted in prophetic revelation. Biblical law is Divine law; Biblical morality is Divine morality. Neo-platonically, the Torah, the law, is the quintessential distillate of the Divine mind. It is the Divine mind! To know the law is to know the Divine mind. Thus, Moses, the law-giver, is essentially a prophet; the greatest of law-givers is, *ipso facto*, the greatest of the prophets.⁴ This is what is bequeathed to us in the single person of the man, Moses, combining within himself, being and becoming; the upper and the lower realms of reality; faith and law; Torah and prophecy; phenomenon and noumenon.

But, in turning to Judaism with this two-fold heritage, what can one say?

It seems that the fusion of faith and law, as embodied for that fleeting moment in Moses, never occurred again. An uneasy co-existence between the two prevailed within Judaism for a number of centuries, but ended in a parting of the ways. The spirit-faith-prophecy syndrome took up new lodgings in Christianity. Thus, in effect, this rupture served as an occasion for the institutionalization and structuring of two methodological approaches to the Godhead—Judaism and Christianity.

To be sure, the break did not come suddenly. Already, in the pre-Christian centuries, the understanding was that prophecy had ceased in

2. See Numbers 12:6-8. O Eissfeldt considers Numbers 12:6-8 to be part of the "oldest narrative thread" in source L. See *Einleitung in das Alte Testament* (1934), p. 258. Cf. Exodus 33:11 and Deuteronomy 34:10 with Numbers 12:8.

3. Kraus, *op. cit.*, p. 108, n. 53 and 54.

4. Roland De Vaux, *Ancient Israel*, II (1965), p. 354, "It has been suggested that *torah* comes from the verb *yarah*, meaning 'to throw,' and occasionally 'to cast lots' (Joshua 18:6); consequently, this role of the priest has been linked with his role as man who gives oracles. . . ." Concerning the problem of the relationship between priest and prophet, it would appear that, in time, the prophet ceases to speak and it is the priest who assumes this function.

Israel.⁵ This was rabbinic Judaism's way of saying that the law was sufficiently viable to function without the need for further revelation. Moreover, realizing the latent contrariety between the two, prophecy would surely have to be suppressed if the stability of the law were to be secured, let alone its pre-eminence assured. Thus, the task for rabbinic Judaism was to proscribe the prophetic experience as hitherto understood and channelize it into new, rabbinically sanctioned molds.

In effect, this meant that, while they disallowed prophecy *ad hoc*, they sustained and sanctioned prophecy *ad legem*, as a valid medium of Divine communication.⁶ Thus, the Talmudic dictum: whatever a scholar innovates or discovers, which is within the prescribed and allowed rules for Talmudic-juridical design, that, too, is regarded as having been revealed at Sinai. In this way, the mechanism of continued revelation and prophetic disclosure is secured within the framework of halakhah. Prophecy, to all intents and purposes, has been legalized.⁷ It must, a priori, adhere to, and harmonize with, halakhic demands, the first of which is to affirm the supremacy of the law. Prophecy is now the handmaiden of law.⁸

But we must not lose sight of the symbiotic relationship that will continue to exist between law and prophecy. Since the minutest law, newly derived, which harmonizes with the traditional law, is regarded as having been given at Sinai, it would be proper to say that Jewish law continues to be validated and informed by a prophetic instrumentality. In ultimate terms, then, prophecy is the sanctioning mechanism for halakhah.

At this point it would appear that, as we attempt to clarify the relationship and tension between prophecy and law, the more tangled and entwined does their involvement with each other seem. This problem is best mirrored in Moses. After we establish the Divine roots of the law and the prophetic character of the law-giver, Moses, to which do we assign preeminence, to the law-giver or to the prophet? Have we established

5. Ephraim E. Urbach, "When Did Prophecy Cease?," *Tarbiz* 17 (1946), pp 1-11. This illuminating discussion concludes with the observation: "Prophecy ended, evidences of the immediacy of the Divine Presence vanished, but Providence retained for itself means through which to disclose its will to its favored ones and to illuminate for them the darkness of the future."

6. This is, in effect, the sanction for the halakhah. See notes 4 and 5 above.

7. See Solomon Schechter, *Aspects of Rabbinic Theology* (1909). There is a very fine treatment and discussion here of Priests, Prophetism and Law, pp. 118ff. "Of any real antagonism between Moaism and 'Leviticalism' and Prophetism, which modern criticism asserts to have brought to light, the Rabbis were absolutely unconscious" (p. 119).

8. Z. H. Chajes, *Torat Nevi'im* (1836) is still one of the best explications of the rabbinic view of the role of the prophets and their importance to halakhah. Also, his *Student's Guide Through the Talmud* (1960) is a most valuable study of this entire matter. L. Ginzberg, *On Jewish Law and Lore* (1955), contains a treatment of the halakhah from the viewpoint of Jewish history and the allegorical interpretation, among other equally important approaches.

the halakhic character of the prophet or the prophetic character of the law? In a sense, we have done both. But the ultimate question, the assignation of priority, will be decided by history.

Jewish tradition states that "it is for the sake of Torah that the world was created; it is the first of God's handiwork." The career of the prophet, Moses, has its supreme culmination and transfiguration in the experience at Sinai, receiving God's law.⁹

While the opening cadences in Moses' life are prophetic, dialoguing with God, speaking with Him, "face to face," the closing ones are nomistic, culminating in *Mattan Torah*, the giving of the law. Moses now is seen as judge, jurist and legislator. "Judges and magistrates shalt thou place in the cities" is the new Divine mandate. It would seem that the whole prophetic encounter serves as prologue to the Divine origin and the giving of the law.

Paradoxically, one of the first communications concerning prophecy, as found in the law, seeks its curtailment and containment. The prophet who goes contrary to the teachings of the Torah is, in fact, a false prophet. The hallmark of genuine prophecy is conformity with the law!¹⁰ While the admonition dealing with the false prophet is put **tersely**, in a few sentences, its compression dare not blind us to the far-reaching consequences of this determination.

The Jew, when faced with two possibilities, could choose only one. He could allow the halakhah to authenticate prophecy, or prophecy to authenticate halakhah; one to serve the other subordinately. Judaism chose the former, Christianity the latter. Paul, Montanus, Luther, Calvin, John of Leyden, and others, chose to subordinate law to prophecy. "Salvation is of the spirit." Christianity represented the victory of intuition over institution, faith over works, evangelion over nomos, "being" over "becoming."¹¹

What Judaism secured, Christianity loosed. Judaism had put the spirit in the service of the law. Christianity put the law in the service of the spirit. Needless to say, the spirit, in time, became imprisoned in a new law; in the case of Christianity, canon law. And so the cycle repeats itself. The prophetic spirit that is allowed to dismantle and destroy the old law must inescapably and inevitably invoke its own law, a new law,

9. Solomon Schechter, *Aspects of Rabbinic Theology*, pp. 123-124, n. 5, "In this sense also . . . must be understood the passage in *Jer. Berakhot*, 3b and parallels, where the prophet, so to say, is required to bring his imprimatur from the Torah. . . ."

10. Gershom Scholem, *On the Kabbalah and Its Symbolism* (1965). This volume contains a study of the relationship of mystics and prophets to religious authority, "Religious Authority and Mysticism," pp. 5-31. The connections and the contrasts between prophetology and mysticism are sketched very perceptively.

11. See Franz Rosenzweig, *On Jewish Learning* (1955), pp. 118ff. The problem of priority between prophecy and law is again dealt with vis-à-vis the theophany at Sinai. Rosenzweig maintains that the moment of revelation at Sinai did not give law. "The only immediate content of revelation . . . is revelation itself."

to combat further prophesying and competitive revelations, i.e. sectarianism.¹²

It would be of interest to speculate why Judaism finally did opt for the legalistic orientation and allowed prophecy to lapse. One possible answer is that, in the course of time, it identified with the new rabbinic leadership in opposition to the older prophetic schools. Historically, the first repositories for the prophetic message were the priestly schools, such as those which existed in Jerusalem. It would seem that the collegiality between priest and prophet, in time, worked to the disadvantage of the latter. It might very well be that the stigma of "fellow-traveller" was ascribed to the prophet by the nascent and aspiring Soferim, scribes, who began to vie with the priest-prophet coalition for the intellectual and spiritual stewardship of the people.¹³

Also, the Mesopotamian strain which achieved dominance in Judaism, wherein everything stands under the law, including priest, king and people, came, in time, to include prophecy. What remained was, in effect, legalized prophecy. Hereafter, the problem would be to spiritualize the law, when it became cumbersome and oppressive.¹⁴

On the other hand, the problem with prophecy would be to legalize it, to tack it down, to give it ballast and stabilize it. The paradox that emerges here is that, while Christian society espouses the law of love, we live by the love of law. Operationally, we live by law, metaphysically and abstractly, we aspire to love.

Part of the problem today is that we mistake the longing for the fact. We are doomed to live by the law of the Judaic spirit, and forever reach out for the preachment of Christian love. This is not to say that the law is without its own peculiar problems. It has a very natural tendency to become profuse, cluttered, and burdensome and, periodically,

12. Gershom Scholem, *op. cit.*, p. 7, stresses the twofold nature of the mystical process. "All mysticism has two contradictory or complementary aspects: the one conservative, the other revolutionary."

13. *Ibid.*, pp. 13ff., explains how the written word and the religious authority derived from it is set aside when necessary. He suggests two methods. To these I would add a third. A) The "word," very often, is simply invalidated. It is regarded as non-existent, or valid only for a limited time. This is an approach often assumed by the Pharisees. B) The "word" is replaced by a mystical interpretation. Paulinianism is identified with this solution. C) The "word" continues as a literary reality but within a changed context and with a new application. This is associated with the ideational world of Qumran. Illustrative of this is the continued but modified priestcraft and cult within Qumran but now transferred to the sons of Zadok.

An over-view reveals the Pharisees to be moderately progressive; the Paulinian position, antinomian; Qumran most conservative and reactionary.

14. *Ibid.*, p. 98, presents an incisive analysis of this problem as it is articulated in Kabbalism, "... the lives and actions of the Kabbalists were a revolt against a world which consciously they never wearied of affirming." Further on Scholem states, "... for the intention behind those ancient mythical images, which the gnostics bequeathed to ... the entire Kabbalah, was, ultimately, to destroy a law that had broken the mythical order" (p. 99).

it will need spiritualizing and pruning. If these are not attended to in time, correctives, which are often unwelcome and unpleasant, come from other quarters.

In the multi-millennial life of the Jewish law, numerous pruners have emerged. The most famous is symbolized by the person of Jesus and institutionalized in the primitive Christian Church. But again, this was not the end but, rather, the beginning of the same process and cycle so familiar to us. What the new church corrected it inevitably generated once more—law! To be sure, it was new law but, nevertheless, law which, in time, became old law.

Thus, we find that no sooner had the primitive Christian church emerged, when the call sounded for reform—Montanism.¹⁵ Here, again, the need was felt by some to spiritualize and purify the wayward church caught in the evil snares of legalism and ecclesiastical formalism. The church learned early what all other churches had learned, that man cannot live by spirit alone. He needs the shelter, security and structure of institutions.

In time, the new law became subject to the same ills as did the old Jewish law. These ills triggered the same reactions and generated the same adverse forces which attended her own birth. Once again, the pruners appeared, this time in the persons of Luther, Calvin, Zwingli, and others.¹⁶ This cyclical pattern should not surprise us. To know the nature of law is to acknowledge the inevitability of this cycle.

Another very important ingredient, which we dare not overlook, is that all these men share an attribute. They wanted to know and commune with their God directly, experience Him without mediation. It is this desire for the *unio mystica* that unites them in a common brotherhood.

The evocation of the mystical perforce returns us to the figure of Moses, chief of the prophets.¹⁷

In the prophet, we have the unmediated pathway to the Godhead.

15. Reinhold Seeberg, *Textbook of the History of Doctrines* (1964), I, pp. 104ff. "The recognition (agnito) of spiritual charismata is a distinguished trait of Montanism" (p. 105). The church repulsed Montanism by branding it pseudo-prophetism. But, in fact, "the church sees herself compelled to surrender one element of her former experience, the charismata. She in principle abandons her claim to the Spirit. Tradition triumphs over the Spirit." "The Muratori fragment says: 'I consider the prophets a finished thing'" (p. 108).

16. See Seeberg, *op. cit.*, II, 173, for a superb thematic treatment of this entire syndrome. Speaking of church life and religious agitations on the eve of the Reformation, he says, "eyes were turned to the future in expectation of a new era of 'prophecy' and the introduction of a new religion" (p. 173). "The evangelical idea of natural law, as opposed to civil and papal law, stresses that by nature all are free, and all things common to all" (p. 182, n.l.). Seeberg states that "Romish canon law . . . proved, as always, the ally of the financially stronger party" (p. 181). See Scholem, *op. cit.*, pp. 98ff.

17. Johs. Pederson, *Israel*, III, 107–149. These pages deal with the prophet in ancient Israel. For the interrelationship between prophetology and mysticism, see Scholem, *On the Kabbalah and Its Mysticism*, pp. 11ff.

His is the profoundly mystical, and deeply experiential form of Divine communion. But it is not the only one. There is still another way, prescribed by God himself, the law. Torah, halakhah, is mediated, it is rational, cognitive, but nevertheless valid, secure and Divine in nature. It is embodied in the greatest of God's servants, Moses, the Law-giver.

One might say that the problem basically is: Who is the man, Moses —Priest or Prophet? Prophet or Law-giver? How is he known to God? In retrospect, we find that one served the other alternately. Both are represented at varying times in Scripture. Most important, both aspects are accessible to both Jew and non-Jew. Prophecy is thus democratized, although it remains, within Jewish tradition, a gift of the Divine.

The sanctioning of both law and prophecy as Divine paths to the Godhead is obvious from the simple fact that a host of Bible characters in the pre-revelatory period commune with God. It would thus appear that prophecy is an encounter with what God is; halakhah is to encounter God in what He commands!¹⁸

The prophet experiences God in the world of Being; the halakhist experiences Him in the world of Becoming! In time, Judaism will bend prophecy to serve the ends of the law, "what does the Lord require of thee, but to do justice, love mercy and walk humbly with thy God."¹⁹

Again we feel the tension between the two . . . prophecy and law. The Bible does not establish the priority within the man, Moses. Perhaps both are Divine manifestations of the single truth. Law without prophecy aborts, stifles and eventually destroys. Prophecy without law endangers social stability, morality and human institutions. We need both. "Both are the words of the living God." Moses encompassed both.

Judaism and Christianity would do well to take note. Both love of law and the law of love are of Divine origin. It would seem that Christianity would reject the law, since it is earthbound. It helps man with his way *in* the world, but not *out* of the world, which is the final destination of Christianity. Thus, disengagement from the earth would necessitate disengagement from the law. The law, being earthbound, designed to make this the best of all worlds, quite naturally appealed strongly to Judaism.

In Judaism, for better or worse, regardless of what the real world tells us, God reveals His quintessence through action, through the *vita activa*, rather than the *vita contemplativa*! The God of the Torah reveals Himself through the medium of the *mizvah*, the existential act. Creativity is the substratum of His reality! And so the Jew follows in the *imitatio dei*; as with the Creator so with His creatures. Man's essential self is revealed through the deed, act and creativity. "In the beginning God created."

18. Adolphe Lods, *The Prophets and the Rise of Judaism* (1961), pp. 153–154.

19. One can appreciate the problem posed in the very last chapter of Maimonides' *Guide for the Perplexed*. One is left wondering whether the ultimate good prescribed by the author is contemplation of the Godhead or the performance of *mizvot*.

The Sanctification of the Moon:

Ancient Rite of Rebellion

MAYER ABRAMOWITZ

"ONE SMALL STEP FOR MAN; ONE GIANT LEAP for mankind" ushered in a new era, and with it many of man's mystical associations with the moon were forever destroyed. Poets and singers were rudely awakened as its harsh and bleak environment was successively exhibited to a world-wide audience through the eyes of the TV cameras. Men of science challenged men of letters, and never can another poet sing, as did Blake in *Night*—

The moon like a flower
In heaven's bower
With silent delight
Sits and smiles on the night.

The moon has shed its mantle of mystery and has become but another frontier for man to conquer; the moon is now within the reach of man.

In Jewish tradition, the moon has held a position of prominence, because its phases, its periodic "birth," have been the basis of the Jewish calendar. It is unlikely that the moon landing will have any effect on this calendar tradition, but it might put a dent in a quaint ceremony known as the *kiddush levanah*, or "sanctification of the moon," for no longer can the moon be considered beyond the reach of man, as the prayer proclaims in its opening phrase. Since many synagogues have done away with the ritual, I will begin by describing the *kiddush levanah* ceremony.

On the first Saturday night of a new month, after the Maariv service, the congregation observes the following ritual out of doors:

- 1—the recitation of a *baraita*, which concludes with the prayer, "Blessed art Thou, O Lord, who renewest the months;"¹
- 2—the repetition, three times, of the words, "Blessed be thy Creator, blessed be thy Fashioner, blessed be thy Maker, blessed be thy Former;"
- 3—jumping (*roked*, literally, "dancing") toward the moon, declaring three times, "As I jump toward thee and cannot touch thee, so will my enemies be unable to touch me for evil;"
- 4—recitation of the verse, "Terror and dread falleth upon them, by the greatness of Thine arm they are still as a stone"² and the same verse backwards, "As a stone they are still of Thine arm by the greatness falleth upon them dread and terror;"
- 5—proclaiming, three times, *David melekh Yisrael hai vekayyam*, "David, king of the Jews, lives and exists;"

1. *Sanhedrin* 42a.

2. *Exodus* 15:16.

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6—a hand-shaking ritual and greeting each other, *shalom aleikhem-aleikhem shalom*;

7—repeating, three times, the expression *Siman tov umazal tov*;

8—reading some verses from Scriptures (Song of Songs 2:8-9 and Psalm 121) each of which refers to the mountains;

9—reading the *baraita* of the School of R. Ishmael, “Had Israel merited no other privilege than to greet their Father in Heaven once a month, that would have been sufficient.”³

Even from the above brief description, one cannot fail but be impressed by the unusual nature of the *kiddush levanah* with its jumping, handshaking, mysterious recitations and mazal-tov ceremony. What is even more curious is the seemingly pagan character of the ritual itself. Throughout Scriptures, the worship of the moon was considered an act of idolatry. For example, “Beware lest thou lift up thine eyes unto the heavens, and when thou seest the sun and the moon . . . thou be drawn away and worship them;”⁴ decreeing death to him who “leads the people to worship the sun or the moon;”⁵ while rebellion against God is insistence on worshipping the moon as “the queen of the heavens.”⁶ In view of these Biblical injunctions, it is difficult to understand, not only the strangeness of the *kiddush levanah* ritual, but the fact that Jewish tradition allowed the ceremony to exist altogether.⁷

The *kiddush levanah* is not to be confused with the *kiddush haḥodesh* (sanctification of the month), about which there are many Talmudic references.⁸ These concern themselves either with the proclamation of the new month by the Sanhedrin or with *birkat hareiyah* (benediction at the sight of the moon), but not with the *kiddush levanah*. Thus, the *baraita*, which opens the *kiddush levanah* ceremony contained in the Siddur, and the statement by the School of Ishmael, which closes the ritual, also refer to the *kiddush haḥodesh*.

The only reference to *kiddush levanah* is in Massekhet Soferim,⁹ where, with several variations, the ceremony is basically the same as described above.¹⁰ The Siddur of Saadia Gaon¹¹ does not mention the

3. *Sanhedrin* 42a.

4. *Deut.* 4:19.

5. *Deut.* 17:3-5.

6. *Jeremiah* 44:16-19.

7. “It is our custom to conclude with *Aleinu leshabeaḥ* as though to say that there is nothing in these praises (to the moon) which refer, God forbid, to the worship of the heaven.” A. L. Frumkin in *Mekor Habrakhot* which is the commentary to Siddur Rav Amram, (Jerusalem: S. Zuckerman Co., 1912), part II, p. 145.

8. *Mishnah Rosh Hashanah* II:7; *Sanhedrin* 10b and 42a; *Berakhot Bavli* 59b; *Berakhot Yerushalmi* IX:2: “*Bitfilah Rabbi Yosi bar Nehoria amar: mekadesh Yisrael meḥadesh ḥodashim.*”

9. Michael Higger, ed., *Massekhet Soferim* (New York: Ginsberg Linotype Co., 1937), chap. 19:10, pp. 337-340.

10. The basic differences between the ritual described above and the text of Massekhet Soferim are: 1, the absence of the phrase *David melekh Yisrael* and 2, the greeting *siman tov umazal tov* which follows the *baraita* rather than at the end of the ritual, as in the Siddur.

11. I. Davidson, S. Assaf, and B. I. Joel, eds. *Mekizei Nirdamim* (Jerusalem: 1941), p. 90, line 20.

ceremony, but includes only the moon blessing (the same text as in the Talmud 42a), and it is listed in the general categories of "blessings of sight" which a person must make upon beholding the grandeur of nature, such as earthquakes, lightning, rainbows, and the moon.

The Maḥzor Vitry¹² includes the *birkat levanah*, giving the text of Massekhet Soferim, but with several textual variations which, for this paper, are unimportant. Maimonides, in his *Minyan Hamizvot*,¹³ lists the law of *kiddush haḥodesh* as part of the 613 *mizvot* and discusses the issues of the proclamation of the month in the Mishneh Torah, but makes no mention of the *birkat levanah*. In later publications of Siddurim, there are considerable changes with respect to the text of this ceremony.¹⁴

While the Jewish Encyclopedia devotes considerable space to the *kiddush levanah*,¹⁵ the Universal Jewish Encyclopedia devotes only a few lines, with the explanation or apology: "The origin of this custom is extremely obscure." The Encyclopedia Judaica more directly derogates the ceremony by concluding with the statement that "various other elements, some of them superstitious, have become attached to the rite."¹⁶ Several books on prayer, recently published in Israel, are equally silent about the *kiddush levanah* ceremony.¹⁷

It is probably this kind of derogation, obscurity and superstition regarding *kiddush levanah*,¹⁸ that led editors of modern Siddurim, like the Orthodox Siddur of the Rabbinical Council of America, as well as the Conservative Sabbath and Festival Prayer Book, issued by the Rabbinical Assembly and the United Synagogue, to exclude this ritual from the regular prayers.

12. (Jerusalem: Alef Publ. Co., 1963), pp. 182-3.

13. Positive Commandment 153.

14. See Seligman Beer, *Avodat Yisroel* (Shocken Publ., 1937), 337-339 for the variant traditions.

15. J. D. Eisenstein, "New Moon, Blessing of the," *The Jewish Encyclopedia*, Vol. IX, p. 244.

16. Meir Ydit "Moon, Blessing of the," *Encyclopedia Judaica* (Jerusalem: Keter Publ. Co., 1971), Vol. XII, p. 292.

17. Yosef Heinemann, *Hatfilah Bitkufat Hatannaim Veba-amoraim*, (Jerusalem: Hebrew University Press, 1966), p. 166, refers to the blessings of the month by the explanation "Announcements which were made after the reading of the Torah." The *Mayanot Hatfilah* by Chaim Albech makes no mention of *kiddush levanah*.

18. Beer, *Avodat Yisroel*, pp. 337-338, offers explanations of many of the difficulties, such as the phrase *David melekh Yisrael hay vekayyam*, quoting Psalm 89 that the renewal of the moon is equated with the renewal of David's dynasty; that it was David who established the *sod ha-ibbur*, the configuration of the moon cycles; that the phrase *siman tov umazal tov* is a guarantee to anyone who participates in the *kiddush levanah* ceremony that he will not die during that particular month. See also the *Sefer Kuzari* (4:29), *Mekubal mibet David velo nishtabesh* based on the statement of R. Gamliel, "This is a tradition from my father's house and my father's father's house" (R.H. 25a). See also J. D. Einstein, *Ozar Haminhagim* (New York: Hebrew Pub. Co., 1911), p. 59.

Having listed the difficulties in understanding the *kiddush levanah*, I would now suggest a possible interpretation of the origin of the ritual, shedding light on its acceptance in Jewish tradition.

The *kiddush levanah* ceremony was instituted at the time of the Bar Kokhba rebellion (132–135 C.E.) by the Tannaim, who had been sympathetic to the revolution, as a means of getting the necessary supplies to the Judaeans without arousing the suspicion of the occupying Roman soldiers. The ceremony, which involved “a sanctification of the moon,” would be a meaningful religious rite to the unsuspecting Roman sentries, whose cult was based upon astrological figures,¹⁹ while, for the Judaeans, the new ritual would also be acceptable, because of the earlier traditions of *kiddush haḥodesh*, when the Sanhedrin would proclaim that “the month is sanctified,” as the moon’s birth had been duly ascertained.²⁰ However, because of the short-lived rebellion and the violent Hadrianic persecutions which followed the disastrous defeat of Bar Kokhba, “when 580,000 were slaughtered,”²¹ the *kiddush levanah* ceremony was completely withdrawn from tradition and all references to it expunged from Talmudic literature as a defense measure. This censorship was so thorough that, despite its reference in Soferim, its origin was soon forgotten, although the ritual was continued and preserved in the Siddurim.

The Bar Kokhba letters, uncovered by Yigal Yadin, reveal that the activity of the revolutionaries consisted of guerrilla tactics. The soldiers hid in fortresses or in mountain caves of neighboring villages, on whom they depended for food, clothing and other necessities for survival.²² The newly created *kiddush levanah* ceremony would, thus, allow the Judaeans to go forth from their cities at night, allegedly to sanctify the new moon, but, actually, to seek out these soldiers of Bar Kokhba. The advantages of going into the hills at night in an attempt to out-manoeuvre the Roman guards are obvious. . . .

The *kiddush levanah* ceremony was probably a formula used to train dependable civilians in the proper means of identification for admission to the secret hideouts of the rebels. The retention of the tradition in the prayer was only for a short time, less than three years, the duration of the rebellion. In later time, the tradition was incorporated into the Siddur as a meaningless ritual, since its original purpose had already been lost in history. In other words, although the meaning of the

19. H. G. Wells, *Outline of Man's Work and Wealth* (Garden City: Country Life Press, 1936), p. 36. Also see, D. M. Low's abridgement of Gibbon's *Decline and Fall of the Roman Empire* (New York: Harcourt Brace & Co., 1960), p. 72.

20. *Mishnah Rosh Hashanah* II:5 “Elaborate meals were prepared for them (the witnesses) so that they would come . . . the Head of the Bet Din would proclaim *mekudash* and the people responded *mekudash, mekudash*.” See also *Pirkei R. Elazar Hagadol* (New York: Om Publ. Co.), Chap. 8, p. 20a.

21. Yigal Yadin, *Bar Kokhba* (New York: Random House, 1971), p. 21.

22. *Ibid.*, pp. 132–138.

ceremony was no longer evident, reference to it survived, both in Massekhet Soferim and, cryptically, in the Talmud—as will be explained.

According to this hypothesis, we can decipher in the *kiddush levanah* ritual the following “secret formula” to gain admission to the rebel encampments:

1. Call out your name by spelling it out loud, as in the example given in the text: *barukh Yozrekh, barukh Asekh, barukh Konekh, barukh Borekh*. Each noun following the word *barukh* represents a letter in the name. In this case, Y-A-K-B. We may imagine that if Shlomo were the emissary, he would call out, in a similar pattern, using different nouns representing the letters in his name: *barukh Shomrekh, barukh Lomdekh, barukh Mekadshekh, baruch Hodekh*—SH-L-M-H.
2. Expose yourself to view by jumping up and down, so that the Bar Kokhba sentry, probably in hiding, would see you.
3. State the secret code, which is a Biblical verse announced by the sentry and replied to by the civilian emissary in reverse order as a “password.”
4. Declare the motto of the rebellion “*David melekh Yisrael hay vekayyam*” since Bar Kokhba was not merely the “commanding general” of an army, but was considered an heir to the throne of David.²³
5. Greet the soldiers upon entering the encampment, *shalom aleikhem aleikhem shalom*. Also, express wishes for success, “good luck,” *siman tov umazal tov*. . .

The evidence for the above interpretation is both internal and external—that is, the Talmudic texts and historical documents.

A. Internal Evidence

1. The *baraita* of the School of R. Ishmael,²⁴ “Had Israel merited no other privilege than to greet their Father in Heaven but once a month, that would have been sufficient,” seems to be entirely out of proportion to the importance of the moon ritual. Rashi’s interpretation that this emphasis is due to the preceding statement of R. Yoḥanan “. . . is like being in the presence of the Shekhinah” does not adequately explain the over-emphasis of the words of R. Ishmael.²⁵ The supreme importance placed upon the *mizvah* of “greeting their Father in Heaven” can be understood if we recognize it as referring to the *kiddush levanah*, in a historical setting, where the life of the Jewish State was at stake. In other words, because of the crisis which threatened the survival of the Jewish people, the Tannaim established the ritual of *kiddush levanah*. Elsewhere in the Talmud, we find similar changes in halakhah made necessary in the days of “crisis.”²⁶

23. *Midrash Eikhah Rabba*, Chap. II. R. Akiba replied: “This is the *Mashiah* (*ben David*).”

24. *Sanhedrin* 42a.

25. There are many midrashic parallels which equate a *mizvah* as “unity with the shekinah” (*hakhnassat orḥim, sukkah*, etc.), but in no case in any individual *mizvah* considered so important that “it would have been sufficient.”

26. *Bavli Ketubot* 3b “and if because of the emergency he is allowed (to consummate the marriage).”

2. The verse "For with wise advice shalt thou make war" (Prov. 24:30) follows the *baraita* of the School of R. Ishmael.²⁷ The commentaries,²⁸ as well as the Soncino Translation of the Talmud, consider the above-quoted verse as a separate, unconnected phrase, with the *baraita* that precedes it. If the *baraita* in question can be considered in the light of the above (establishing the importance of the *kiddush levanah* ceremony), then the verse may be considered as the logical ending to the *baraita*, for it provides the Biblical authority for the newly-instituted ritual. Simply stated, the *baraita* advises the Judaeans, by quoting the Bible, that to pursue the war one needs "good manoeuvres." If that assumption is correct, then what we may have in the *baraita* is a direct reference to the *kiddush levanah* ceremony.

3. Both the statement of Abbaye,²⁹ requiring the celebrant to bless the moon while "standing up," and the act of Mar Zutra and Marimar, who "clasped each other's shoulders" during the recitation of the moon blessing, need further explanation. However, if these refer to the *kiddush levanah* ceremony, then both the statement and the strange actions seem to indicate that a remnant (jumping ritual) of the *kiddush levanah* ceremony was known in Talmudic days.

4. The incident related in the Talmud,³⁰ where Rabi sent R. Hiyah to Ein Tov to sanctify the month clandestinely and instructed him to send back a *simana*: *David melek Yisrael hay vekayyam*.³¹ The use of the word *simana* (sign), as well as the choice of the particular expression *David melek Yisrael* . . . seems to indicate a similar clandestine ceremony of *kiddush levanah*.

5. In the Yerushalmi,³² "that is what was taught: 'Haverim may gather to sanctify the month'" refers to the caliber of judges who may make up the Bet Din. The use of the term "haverim," in this instance, might also suggest a reference to the earlier ceremony of *kiddush levanah*, where only "trusted ones," or those sympathetic to the Bar Kokhba rebellion, could be relied upon. This is especially probable, since a "haver," in the Talmud, refers to a member of an order who can be trusted to observe religious disciplines.³³

6. The only explicit source of the *kiddush levanah* is in Massekhet

27. *Sanhedrin* 42a.

28. Maharsha resolves appearance of quotation by resorting to grammatical change of the word *tahbulot* which literally means good advice or good manoeuvring.

29. *Sanhedrin* 42a.

30. *Bavli Rosh Hashanah* 24a.

31. Ibid., footnote 17, "This part of the ceremony is reminiscent of the days . . . when the Romans abrogated the authority of the rabbinical court to consecrate the new moon which therefore had to be carried out clandestinely."

32. *Sanhedrin*, Chap. 1:2, Venice Edition, p. 18.

33. *Mishnah D'mai*, Chap. II:3, *Behorot Bavli* 30a. Incidentally, the expression *haverim kol Yisrael*, found in the prayer for the new month, is probably derived from the text quoted from the Yerushalmi.

Soferim,³⁴ which spells out the entire ceremony. The compiler of the tractate does not give the source of this regulation, just as for dozens of other enactments mentioned in Massekhet Soferim there is no authority mentioned. In such cases, "they may tend to point to an early date of composition."³⁵ Whether this theory of dating is accepted or not, it is clear that the compiler of Massekhet Soferim did not originate the custom of *kiddush levanah*, but, as with other regulations, he faithfully recorded existing traditions.³⁶

B. External Evidence

Recent archaeological digs, which have produced abundant material on the Bar Kokhba rebellion epic in Jewish history, seem to point to the existence of such a ceremony. The evidence is from a totally unexpected source, and is found in Yigal Yadin's book, *Bar Kokhba*, where a letter is quoted and photographically reproduced. It reads: "... from Shimeon to Yeshua ben Galgoula, peace! Send cereal, five kors of wheat to. . . Be strong and strengthen the place. Be well." Fortunately, there is also a post-script added to the letter, *Yishlah ahar hashabbat*. Yadin's translation reads: "I have ordered someone to give you his wheat after the Sabbath. . ."³⁷ The expression "after the Sabbath" may refer to the *kiddush levanah* ceremony, since it conforms to the opening paragraph of Massekhet Soferim: "One does not bless the moon except after the *shabbat*." Is it mere coincidence that the same expression occurs in a de-facto experience and in a regulation quoted in a code of law? More evidence is needed to answer this question, but it seems to substantiate the hypothesis regarding the *kiddush levanah*.

In sum, the *kiddush levanah* is a ceremony without parallel or precedent in the ceremony-laden traditions of Judaism. The jumping, the recitation of a Biblical verse in reverse, the hand-shaking and the peculiar greeting, *mazal tov*, all betray a ritual which can be considered either as an occult practice for the mystic, or as an act ingeniously devised by the rabbis to meet a vital need in their people's survival.³⁸

34. Chap. 19:10.

35. Ludwig Blau, "Soferim," *The Jewish Encyclopedia*, Vol. XI, pp. 427-8.

36. If, as suggested by this paper, the *kiddush levanah* ceremony was expunged from the Talmud by the censors, due to the Hadrianic persecution, is it possible that this ceremony escaped censorship in Massekhet Soferim since it was a "small" tractate and, thus, escaped scrutiny?

37. P. 138.

38. There is historical evidence for similar traditions evolved by rabbinic law. Just to mention a few: the *Velamalshinim* and the *Yekum Purkan* prayers; the inclusion of the *Kol Nidrei* ritual on *Yom Kippur*. Even in halakhah, according to a lecture in the JTS by Prof. Louis Ginsburg, the laws of *yayin nessekh* may have been a kind of "protective tariff" enacted to aid the wine producers of Israel against "foreign imports." See also, *Hagaot Massekhet Sanhedrin*, by Zvi Hirsch Hayoth, on the Talmudic phrase *dvarim hana-assim beluz* (12a) . . . "because the Romans did not permit them (the Tannaim) to proclaim the new moon . . . they did everything wisely to hide (*lehashtin*) and to camouflage (*leha-alim*) the act."

It is in the nature of the traditional Siddur that it can best be understood as a compendium of rituals and prayers reflecting the specific mood of each age, made necessary by the specific social and political events. In this case, the School of R. Ishmael closed ranks with Rabbi Akiba, in their joint attempt to insure Jewish survival by "religiously" supporting the soldiers of Bar Kokhba. If there is any truth in what I have said in this essay regarding the origins of the quaint ritual of *kid-dush levanah*, a strong argument can be made for its revival in modern synagogues. It will act as a cogent reminder that, historically, Judaism, as a religion, cannot be dissociated from the Jewish people.

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Bar-Mizvah

BYRON L. SHERWIN

Observance and Abuse

"IF I HAD THE POWER, I WOULD ABOLISH THE bar mizvah ceremony in this country."¹ These are not the words of a contemporary Sabbatean, nor of a Jewish secularist, nor of a left-wing reformer. The author is the leading Orthodox halakhic authority, Rabbi Moses Feinstein.

Few religious practices have been as widely accepted by American Jewry as the celebration of the bar mizvah, which claims a place in their social and religious life that is unparalleled in Jewish history.² Already in 1887, a commentator records that, in America, bar mizvah is "the most important religious occasion amongst our Jewish brethren."³

The abuses which accompany its celebration have brought the manner and the very legitimacy of the celebration under attacks such as those of Rabbi Feinstein. "It is well known," he writes, "that it (i.e., the bar mizvah ceremony) has brought no one closer to study and observance."⁴ In a similar vein, Rabbi Samuel Dresner decries the unrealistic and infantile expression which the occasion has assumed, providing the child with a negative, rather than with a positive, religious and educational experience. The opportunity to change lives is too readily forfeited in the attempt to put on a show.⁵ A New York County Supreme Court judge, in an interesting case in which a child's trust fund had been petitioned for monies to finance a lavish bar mizvah party, wrote in his decision, "It (bar mizvah) was never meant to be an excuse for pleasures or showing off. The spiritual values which the ceremony symbolizes may not be thrust into second place by ostentation and expensive banquets."⁶

1. Moshe Feinstein, *Iggrot Mosheh, Oraḥ Ḥayyim* # 104 (Hebrew) (N.Y.: Gross and Weiss, 1959); see Aaron Kirshenbaum, "Rabbi Moshe Feinstein's Responsa" *JUDAISM* 15:3 (Summer, 1966) p. 372.

2. See Isaac Levitats, "Communal Regulation of Bar Mitzvah" *Journal of Jewish Social Studies* 11:2, pp. 153-162.

3. Quoted in Isaac Rivkind, *Lot ul'Zikaron (Bar Mitzvah: A Study in Jewish Cultural History)* (N.Y.: 1942) p. 62.

4. Feinstein, *Op. cit.*

5. Samuel H. Dresner, "Renewal," *Conservative Judaism* 19:4 (Summer, 1965) p. 57.

6. Quoted in Ḥayyim Lieberman, *A House on Fire* (New York) p. 140. The most often quoted precedent for the coming-into-majority-party is the party which Abraham made for Isaac when the latter came of age; see Einhorn (*Maharzu*) to *Genesis Rabbah* 53:10; *Magen Abraham* note to *Oraḥ Ḥayyim* 225:2; see Rivkind, *Op. cit.*, pp. 40, 47. The first recorded party on the occasion of majority at thirteen seems to be *Midrash Ha-Ne-elam* in *Zohar Hadash with commentary of the Sulam*, Volume 9, p. 151, paragraph 416 and in I. Tishbi, *Mishnat Ha-Zohar* (Jerusalem: Mosad Bialik, 1961), II pp. 45ff.

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A Talmudic passage claims that, before a child is born, it knows the entire Torah, all the teachings of Judaism, but that just before its birth an angel taps it below the nose, causing it to forget everything it has learned.⁷ The author of the satirical *Tractate America* suggests that in this country the angel waits until after bar mizvah. Then it strikes the boy, causing him to forget everything he has learned about Judaism. In a similar vein, there is the quip: "The Ten Lost Tribes were not lost; they only became bar mizvah." The truth underlying the satire is staggering, despite the many valiant and sincere attempts to halt the attrition rate of religious school attendance after bar mizvah.⁸

The abuses are many. They are objects of concern but not for alarm. For whatever reasons, the laity has opted to observe this religious practice, and the abuses accompany only the popularity of the observance. The abuses, therefore, and not the practice itself, should be eliminated. Furthermore, one would be mistaken to think that the abuses are symptomatic only of our time or our place. Already in sixteenth century Poland, garish receptions troubled the rabbinic authorities. R. Solomon Luria (Maharshal) (1510–1673) described them as "occasions for wild levity, just for the purpose of stuffing the gullet."⁹ And at the beginning of the present century in Germany, Franz Rosenzweig lamented that "the moment of the bar mizvah has unfortunately lost much of its meaning in the last decades."¹⁰

Neither those who condone bar mizvah as it is, nor those who condemn it for not being what it should be, have sought to determine exactly what it is and what it should be on the basis of the relevant sources. The secondary literature on bar mizvah is surprisingly sparse, notwithstanding its widespread practice.¹¹ There are the usual anthropological comparisons between bar mizvah and coming-into-majority ceremonies of exotic tribes, and the to-be-expected Freudian analysis which applauds bar mizvah as "an institutionalized experience, tending toward the resolution of ambivalent feelings derived from Oedipus conflict."¹² Bar mizvah has been examined from every relevant perspective—anthropology, psychology, sociology—except one: religion. The question of what it is within the framework of Jewish law, theology and practice, will be the subject which I plan to follow.

7. *Niddah* 30b; see Plato's "Theory of Recollection" in *Meno*, 80d–86a.

8. See, for example, Sheldon S. Brown, *Guidance and Counselling for Jewish Education* (N.Y.: Bloch, 1964).

9. Solomon Luria (Maharshal) (1510–1573) *Yam Shel Shlomo* (Hebrew) *Baba Kama* 7:37.

10. Franz Rosenzweig, *On Jewish Learning* (N.Y.: Schocken, 1955), p. 37.

11. See Shlomo Goren, "The Age of Maturity for Individual and Social Majority," *Maḥanayim* (Hebrew) 23, pp. 7–13; Isaac Rivkind, *Op. cit.*; Kalman Eliezer Frankel, *Encyclopedia P'bar Mizvah* (Hebrew) (Tel Aviv: Hakerem, 1958).

12. Jacob Arlow, "A Psychoanalytic Study of a Religious Rite: Bar-Mitzvah" *Psychoanalytic Study of the Child* (December 20) 1953, pp. 353–374.

A Philological Note

Since the inclusion of the phrase in Webster's Dictionary of the English Language, the need to translate bar mizvah into English has been eliminated. One should note, however, Webster's perpetuation of the popular, but incorrect, translation of "bar" as "son of." In rabbinic literature, the term would seem to recommend another possibility.

The Talmud notes that an agent of a man who is not a slave is "as himself" because he is a "bar mizvah," i.e., "subject to scriptural command." Another Talmudic text, discussing the verse in Exodus, "He who smites a *man* that he dies" (Exodus 21:12), notes, "I might have thought this verse applied only to the slaying of a *man* since—*ish d'var mizvah*—such is himself bound by law."¹³

One of the many syntactical roles which the Aramaic "bar," or its Hebrew counterpart, "ben," may play, is to indicate class membership. For example, *bnei bakar*, literally *sons of cattle*, means members of the class *cattle*; *ben-adam*, literally *son of man*, means a member of the class *mankind*; *bnei brit*, literally *sons of the covenant*, denotes those who are obligated to the individual *mizvot*, the details of the covenant. Similarly, it may be suggested that bar mizvah indicates responsible citizenship in Israel, which is the community of mizvah. It denotes one who is bound by, or subject to, Divine command.

The Origin of Bar Mizvah

For the past century, it has been generally assumed that bar mizvah is a comparatively recent development in Jewish life and thought, dating from the fifteenth century.¹⁴ But a careful study of the issue will demonstrate that both the term "bar mizvah," and the practice of an initiation rite into religious and legal majority at the age of thirteen for a male, dates from a much earlier period.

13. *Baba Me'zia* 96a; *Sanhedrin* 84b (Soncino translation).

14. Leopold Löw, in his *Die Leben Salter in der Jüdischen Literatur*, (1875) claims that neither the term nor the celebration of bar-mizvah in the current sense was known before the fourteenth century. He claims that Jacob b. Moses Moëlln (Maharil) is the first to mention the term and does so in the name of the Mordecai (d. 1298). The text of Jacob Moëlln which he cites, however, does not support his claim (Rivkind, *Op. cit.*, pp. 13ff).

Löw's insistence upon the comparatively late development of bar-mizvah influenced the view of those who came after him. The articles on bar-mizvah in the *Jewish Encyclopedia* and in the *Encyclopedia Judaica* were strongly influenced by his view. The latter claims that the term first appears in its present sense in Menahem Zioni's fifteenth century work, *Sefer Zioni* (to Genesis 1:5). Solomon Schechter asserted that bar-mizvah "cannot claim very high antiquity" and that the term as we understand it today, i.e., to indicate coming into religious majority, was not known in Talmudic or early medieval Jewish literature (i.e., through the time of Maimonides, d. 1204). ("The Child in Jewish Literature" *Studies in Judaism* [Philadelphia: JPS, 1896] Vol. I, pp. 307, 312).

Bar-Mizvah: The Term

The earliest use of the term, "bar mizvah," in its current sense, appears to be in *Midrash Tanhuma*. The passage reads:

Can even minors don *tefillin*? We are taught—"You shall observe;" i.e., everyone who learns to observe can (learn to) do. This eliminates minors because they are not bound to observe. But, if a minor is bar mizvah (obligated to observe) and *bar deah* (knowledgeable), he is obligated (to don *tefillin*).¹⁵

Louis Ginzberg claims that the use of the expression, "bar mizvah," proves that the passage is a late gloss.¹⁶ But one may claim that Ginzberg begs the question. He assumes that the term is late and then uses that unjustified assumption to argue for the lateness of a text which uses that term.¹⁷

Ginzberg's uneasiness with the text as it stands is not unwarranted. He is apparently troubled by the description of a "minor" as "bar mizvah." This difficulty may, however, be solvable. For, as will be noted below, there originally were a variety of ways in which one could become "bar mizvah;" i.e., permitted to observe and to be held liable for not observing the commandments. One was by reaching the age of majority. Another was by manifesting certain physical and/or intellectual signs of maturity. A third possibility required a combination of the other two ways: signs *and* age. If one accepts only the last approach (which, as will be seen, many authorities did), then the text may be understood as referring to either of the following:

(a) One who is bar mizvah by merit of age but who is still considered a minor because he has not yet manifested signs of maturity.

(b) One who is bar mizvah by merit of manifesting the intellectual and/or physical signs of maturity but who has not yet reached the age of majority.

Even if one should discount the text from *Tanhuma* cited above, there is still another source which clearly uses the term in the current sense and which pre-dates the 15th century, namely, a responsum of Rabbenu Asher b. Yehiel (Rosh) (b. 1250).

Bar Mizvah: The Practice

Despite the problematic considerations of the applications of the term "bar mizvah" to a ceremony acknowledging a coming into majority, before the fifteenth century, there is a sufficient amount of material prior to that time to claim the existence of some kind of ceremony akin to the present one.

15. *Tanhuma* (Hanidpas) "Bo" 14.

16. Louis Ginzberg *Perushim v'Yerushalmi* (N.Y.: JTSA, 1941) Volume II, p. 145, #19.

17. See Rivkind, *Op. cit.*, p. 14.

The central event in the bar mizvah today is calling the boy to the Torah for the first time. Jonathan of Lunel (twelfth century) reports that, already in the eighth century, R. Yehudai Gaon observed the following custom:

At the first occasion when his son was called up to the Torah, the Gaon, R. Yehudai—may his memory be for a blessing—rose to his feet in the synagogue and recited this blessing (i.e., “Blessed be He who has freed me of responsibility for this boy.” On this basis, the Midrash set the precedent for establishing male majority at thirteen).¹⁹

Another kind of initiation ceremony in the early post-Talmudic period is hinted at in the minor tractate *Soferim* (probably eighth century):

At the age of thirteen, the boy was taken round and presented to every elder to bless him and to pray for him that he might be worthy to study the Torah and engage in good deeds.²⁰

Pre-fifteenth century Jewish literature surely knows of numerous examples where thirteen is designated the age of majority for a male, e.g., Talmud, Rashi, Maimonides.²¹ One may, therefore, concur with Isaac Rivkind that, though the exact origin of bar mizvah is indeterminate, nevertheless, the term, as it is currently used, and a practice relating to a child's attaining majority, appear in Jewish life and literature earlier than many had imagined.²² Bar mizvah is not, as had been thought, a comparatively late development in Jewish life and literature, but an institution with rabbinic and Gaonic roots which was later codified. It is a legitimate expression of what Solomon Schechter called the collective consciousness of the “Universal Synagogue,” of “Catholic Israel.”

Schechter designates, not the sacred texts of Israel, but the people of Israel, as the final religious authority. Judaism, he claims, is what develops out of the “living body,” the “collective consciousness of Catholic Israel as embodied in the Universal Synagogue,” which is “the sublimest expression of Israel's religious life . . . The sole true guide for the present and future.”²³ Catholic Israel, in the course of its growth, established and developed bar mizvah. Those who came after bar mizvah had roots in practice, but was not yet codified into law, attempted to find

18. *Sheelot v'Teshuvot Ha-Rosh* 13:3 and see 16:1.

19. Jonathan of Lunel, *Orhot Hayyim* “Hilkhot Berakhot” #58 and see Rivkind, *Op. cit.*, p. 16; *Genesis Rabbah* 63:10, *Yalkut Shimoni* “Genesis” #101 and compare a variant reading in Rivkind, *Op. cit.*, p. 38.

20. *Soferim* 18:5.

21. *Niddah* 45b ff and see *Tosefta Niddah* chapter six (for vows); *Yoma* 82a (for Fasting on the Day of Atonement); *Gittin* 68b, etc. Rashi to *Nazir* 29b (for responsibility for fulfillment of Nazirite vows). Moses Maimonides, *Commentary to the Mishnah: Sanhedrin* 7:4; *Yoma* 8:2; *Niddah* 5:6; *Mishnah Torah* “Laws of Marriage,” 2:9; “Laws of Testimony” 9:8.

22. Rivkind, *Op. cit.*, pp. 14ff.

23. Solomon Schechter, *Studies in Judaism* (Philadelphia: JPS, 1968) pp. 15f.

precedents for it in the hallowed texts and traditions of Biblical and rabbinic life and literature.

Establishing Criteria for Attaining Majority

Four possible approaches may be isolated to determine when one reaches legal and religious majority, according to Jewish legal and extra-legal tradition. One is that signs of maturity—physical or intellectual—determine it. Another is that age determines it. A third is that *either* age or signs of maturity can establish it. A final option is that *both* signs of maturity *and* age are required to establish majority.

Physical Maturity

Only one who is no longer a minor can be convicted as a “stubborn and rebellious son.”²⁴ “But,” the Talmud asks, “how do we determine who is no longer a minor?” Debate on this question centers about the issue of whether or not a minor can propagate. Rabbah argues that a minor, by definition, is one who cannot propagate, apparently identifying majority with puberty. R. Hisda, on the other hand, claims that a minor can propagate, *perhaps* assuming that age is the necessary and possibly sufficient factor in determining majority.²⁵ Consideration of another text will strengthen that claim.

The assumption that a minor can propagate underlies the well known *Baraita* upon which is based the discussion concerning the admissibility of birth control in Jewish law:

R. Bebai recited before R. Nahman: Three categories of women must (or “may”) use a *mokh* (a kind of contraceptive) in marital intercourse: a minor, a pregnant woman, and a nursing mother. The minor because she might (otherwise) become pregnant and die. . . .”²⁶

The text continues and establishes that “minor” refers to a girl in her twelfth year; i.e., between the ages of eleven years and one day and twelve years and one day.²⁷ It is, therefore, apparent that age was once considered a necessary, but not sufficient, standard for establishing majority.

It may be that the earliest manner in which a child could claim majority was to establish that he had reached puberty—the ability to propagate—accompanied by the signs of puberty, the age requirement being apparently optional.²⁸ When the signs were observed to coincide with

24. Deuteronomy 21:18; *Sanhedrin* 8:1.

25. See R. Samuel Edels (Maharsha) to *Sanhedrin* 8:1. Contrast Rashi to *Sanhedrin* 68b; s.v. “*b’Yaduah*” *Tosafot* to *Sanhedrin* 69a.

26. *Nedarim* 35b; *Yevamot* 12b, 100b; *Ketubot* 39a; *Niddah* 45a.

27. *Yevamot* 12b, 100b; *Ketubot* 39a; *Niddah* 45a; note the discussion of this passage in David Feldman, *Birth Control in Jewish Law* (N.Y.: N.Y.U. Press, 1968), pp. 176–180.

28. *Hullin* 24b; *Tosefta Zevahim* 11:6; *Tosefta Hagiga* 1:3.

a given age—at first, eight, and, later, thirteen—the requirements for majority became age *and* the attainment of signs.²⁹ Finally, age became the necessary *and* sufficient condition for establishing majority.

Intellectual Majority

Minors were exempt from obeying laws because they were assumed to “lack understanding” (*lav bnei deah ninhu*).³⁰ They were assumed incapable of moral discernment or pre-meditated action. A verse in Exodus reads: “When a *man* schemes against another and kills him treacherously, you may take him from my very altar to be put to death” (21:14). Premeditation or “scheming” was considered an expression of a level of intellectual sophistication unattainable by a minor.³¹

Eligibility for the assumption of obligations by one who had neither reached the age of majority nor exhibited the signs of puberty was, in some cases, granted to minors who demonstrated a degree of intellectual development. For example, according to the Talmud, Maimonides and Karo, a child over seven who knows whom he addresses when he says grace, may be counted in a quorum for saying grace.³² According to Karo, a child who knows how to care for his *tefillin* may don them.³³

Though some sources grant to the intellectually precocious child some of the rights of one who has reached majority, it seems that the more representative view is that which considers the age of thirteen as the necessary and sometimes sufficient factor in determining majority. Isserles, in contrast to Maimonides and Karo, accepted age as the only necessary and sufficient requirement to establish majority.³⁴

In a discussion of when a child's vows become binding, the Talmud established age as the sufficient requirement. Before a male is thirteen

29. “In former generations, the sages established the manifestation of signs of puberty (as the requirements for legal majority) at age twelve and one day for a young woman, and at age thirteen and one day for a young man. For in earlier generations (during Biblical times) they physically developed at an earlier age and consequently the time of majority was much earlier than at present.” Furthermore, Meir Shif (Maharam) notes, “In former generations a child not yet eight would require a (physical) examination (to establish puberty and, consequently, majority) but after eight such examination was not required because he was then no longer considered a minor. In later generations, no examination was needed after a boy became thirteen (since age was accepted as a presumption of majority.” *Tosafot* s.v. *b'Yaduah*. *Sanhedrin* and *Maharam to Sanhedrin* 69a.

30. For example, they were exempt from the Hagiga sacrifice (*Hagiga* 2b), from “laying hands” on a sacrifice (*Menahot* 93a) and were ineligible to serve as agents. (*Gitin* 23a—agent to deliver a writ of divorce: the general rule in Maimonides “Hilkhot Shlihut” 2:2). See also, *Sheelot v'Teshuvot Hatam Sofer* “Yoreh Deah” # 317.

31. *Mekhilta d'Rabbi Ishmael* “Mishpatim,” chapter four (ed. Horowitz-Rabin) p. 263, line 9 and *Pesikta de Rav Kahana*, edited S. Buber (Lyck, 1868) chapter ten; ed. B. Mandlebaum (N.Y.: JTSA, 1962), vol. I, chapter 11, p. 180.

32. *Berakhot* 48a; M.T. *Sefer Ahavah*, “Hilkhot Berakhot,” 5:7; *O.H.* 199:10.

33. *O.H.* 37:3.

34. *Ibid.* 199:10 and about *tefillin* *O.H.* 37:3, 7; see *Beer Hatev* and *Shaarey Teshuvah*.

years and one day old, he is examined to see if he knows to whom he vows when he vows.³⁵ If he passes the intellectual test before he is thirteen his vows are invalid. But if he fails after he is thirteen his vows are, nevertheless, valid, the assumption being that his having come into majority at thirteen binds him to the conditions of his vows.³⁶ This Talmudic discussion includes what later came to be called the "presumption of Rava" which Isserles utilized as his precedent for establishing age as the necessary and sufficient condition for establishing majority.

The early Ḥasidic master, Naḥum of Tchernoble, (d. 1798) concurs with Isserles. He insists that a minor's actions have no binding quality until he reaches the age of thirteen, "even though he may be learned and astute." R. Naḥum assumes that until the age of thirteen a child cannot manifest *da-at shalem* ("perfect knoweldge").³⁷

Moral Development

As was noted above, only one who is capable of moral discernment may be held responsible for his deeds. In rabbinic terms, this means the ability to choose to be guided by the "evil impulse" (*yezer hara*) or the "good impulse" (*yezer hatov*). According to some sources, the very possibility of moral discernment becomes a real option only at the age of thirteen for a male. For, until that time, it is claimed, the child has only an evil inclination. The possibility for responsible choice begins only at thirteen, when the child acquires the "good inclination."

According to *The Avot According to Rabbi Nathan*, "the evil impulse is older than the good impulse by thirteen years. The evil impulse begins to develop in the mother's womb and is born with the person . . . thirteen years later the good impulse is born."³⁸ *The Midrash on Psalms* notes: "Why is it (the good inclination) called a child? Because it becomes part of a man when the child becomes thirteen."³⁹ The *Zohar* states:

The moment a child is born into the world, the evil prompter straight-away attaches himself to him and therefore brings accusations against him . . . But the good prompter first comes to man only on the day that he begins to purify himself, i.e., when he reaches thirteen years of age . . . From then on, he is accompanied by these two companions.⁴⁰

35. Rashi to *Niddah* 45b.

36. *Niddah* 45b. In this case Maimonides deviates from his usual requirement for both age and physical signs and requires only age; *C.M. Niddah* 5:6 (later editions); *M.T. Sefer Hafla'ah* "Hilkhoh Nedarim" 11:3. The following sources assume physical development and age: *Tosefta Niddah*, chapter six (ed. Zuckerman, p. 647); Bertinoro; *Yoreh Deah* 233:2; see also *Nazir* 28b, 29b.

37. Menahem of Tchernoble, *Meor Enayyim* end "Terumah."

38. *Avot deRabbi Nathan*, Chapter 16, version A.

39. *Midrash on Psalms* 9:5.

40. *Zohar* I, 165b "*v'Yishlah*;" also *Zohar* "Sitre Torah" I, 88b "*Lekh Lekha*;" see (*Maharzu*) Israel Issir Einhorn to *Genesis Rabba* 53:10.

Another source reads:

"It was evening and it was morning one day" (Genesis 1:5). Why does the text read "one day" and not "the first day?" "It was evening" refers to the evil inclination. Afterward, "it was morning" denoting the good inclination. When does an individual acquire the good inclination? "One day," i.e., when a boy is thirteen years of age, the sum of the numerical value of the individual letters of the Hebrew word "one" (*ehad*) being equivalent to thirteen.⁴¹

Precedents

Certain events in the lives of Biblical characters were later understood as establishing precedents for fixing thirteen (for a male) as the age of religious majority. For example, according to a Midrash, at the age of thirteen Abraham rejected idolatry and affirmed his faith in God.⁴² In other words, when Abraham became bar mizvah, Judaism was born. According to the Talmud, Bezalel fashioned the Tabernacle at the age of thirteen.⁴³ Two occasions are most often mentioned as precedents for setting the age of male majority at thirteen. They are: Simeon and Levi's war against Shekhem, and the maturity of Jacob and Esau.

"The two sons of Jacob, Simeon and Levi, took each *man* his sword . . ." (Genesis 34:25). "Rabbi Simeon b. Eleazar said: They were thirteen years old (at that time and each is therefore called a man)."⁴⁴ This text indicates that, already in rabbinic times, there was a tradition that *ish*, "man," refers to one who had already attained the age of thirteen. In post-Talmudic literature, this served as a precedent for establishing the legal age of male majority at thirteen.⁴⁵

"And the boys grew" (*va-yigdilu ha-naarim*: the boys became *gedolim*; they achieved majority) (Genesis 25:27):

Rabbi Phineas said: They (Jacob and Esau) were like a myrtle and a wild rose bush growing side by side; when they attained maturity one yielded its fragrance and the other its thorns. So for thirteen years both went to school and came home from school. After this age, one (Jacob) went to the house of study and the other (Esau) went to idolatrous shrines. R. Eleazar b. Simeon said: A man is responsible for his son until the age of thirteen; thereafter he must say—"Blessed is He who has freed me of the responsibility for this boy."⁴⁶

The present text also indicates that already in Talmudic times thirteen was considered the age of majority; it is when one becomes a *gadol*. In post-Talmudic times, this text served as a precedent for establishing the age of *gadlut* (majority) at thirteen.⁴⁷

41. *Toledot Yakov Damesek Eliezer*; quoted in *Zohar Habrit* p. 200 and *Yalkut Eliezer*.

42. *Pirke deRabbi Eliezer*, chapter twenty-six.

43. *Sanhedrin* 69b.

44. *Genesis Rabbah* 80:10 see *Midrash HaGadol* there and *Yalkut* there # 135.

45. Simeon b. Zemah Duran (1361-1444) *Magen Avot* to *Avot* 5:21; Jonathan of Lunel, *Orhot Hayyim* "Hilkhot Tefillah" # 73 and Rashi to *Nazir* 29b and to *Avot* 5:21.

46. *Genesis Rabbah* 63:10.

47. e.g., Maimonides, *C.M. Sanhedrin* 7:4; *M.T.* "Hilkhot Isshut" 2:9; *O.H.* 616:2.

Statute

A law may be established on the basis of precedent, and possible precedents for identifying male majority with thirteen years of age have already been noted. A second approach would be to demonstrate that no precedent is required because the specific law has already been implicitly legislated and requires only being made explicit. If it can be shown that there are fixed standards for establishing male majority at thirteen, then the relative criterion of physical and intellectual maturation becomes penultimate.

Rabbenu Asher, Rashi, R. Jacob of Moëllin (Maharil) and Simeon b. Zemah Duran insist that the coming of age, for a male, at thirteen years of age is a *halakhah le-Mosheh me-Sinai*, a commandment given to Moses at Sinai,⁴⁸ which, according to Maimonides, is a "tradition not deducible from Scripture nor inducible by reason."⁴⁹ In other words, the standard for male majority has always been fixed. The individual child's development cannot, therefore, be a sufficient requirement for establishing majority.

That thirteen is the age of majority, according to Scriptural authority, is noted by Maimonides and Karo. Maimonides insists that a male over thirteen (who manifests signs of maturity) is defined as a *gadol* and an *ish b'torateinu*, "one who has reached majority, a man according to our Torah." Thirteen year olds are required to fast "by the Torah" (*me'deoraita*) on the Day of Atonement. Karo claims that one's coming of age at thirteen is "from the Torah" (*min ha-Torah*).⁵⁰ Both Maimonides and Karo distinguish between a standard of majority established by requirement of age *and* signs of maturity and majority determined only by age. The former, they claim, is based upon Scriptural authority, while the latter derives only from rabbinic authority.⁵¹

Isserles (often in opposition to Karo) translated into the codes the attitude of establishing age as the sole criterion for majority. Rabbenu Asher (Rosh) had already confirmed the standard for majority to be of Sinaitic authority. For the Talmud had already stated (it was argued), that all standards had been given to Moses at Sinai, including the standard age for majority.⁵²

On the basis of what came to be known as "Rava's presumption" (*hazakah de-Rava*), Isserles codified the view that thirteen is the age of majority regardless of the child's physical or intellectual level of maturity. There was the presumption, he insisted, (whether or not such

48. *Sheelot v'Teshuvot Ha-Rosh* 16:1; Rashi on *Avot* 5:21; Jacob of Moëllin, *Responsa* # 51; *Magen Avot* to *Avot* 5:21. For an analysis of this problematic term see A. J. Heschel, *Theology of Ancient Judaism* (Hebrew) (London: Soncino, 1965) Volume II. 49. C.M. Introduction."

50. C.M. *Sanhedrin* 7:4; C.M. *Yoma* 8:2; *O.H.* 616:2.

51. "The scribes" in Maimonides *M.T.* "Hilkhot Shevitat Assor" 2:11.

52. *Eruvin* 4a and *Sheelot v'Teshuvot Ha-Rosh* 16:1.

was the case in fact) that a boy of thirteen had attained the necessary signs of maturity. Says Isserles, "this is the practice; one must not deviate from it."⁵³

Isserles' decision is a *kuah*, a liberal interpretation, and it eliminates the criteria formulated by the Talmud and reiterated by Maimonides and Karo, who adopted the stringent position of requiring, in most instances, both age *and* signs of maturity. The leniency of Isserles' position may be further substantiated by the claim that he probably did not assume that all youths in his day had actually attained the signs of maturity by the age of thirteen. His fellow Polish rabbi and contemporary, Solomon Luria, relates that in their time and place such could not be readily presumed because "most boys being bar mizvah have not attained the signs of physical maturity."⁵⁴

Support for establishing majority at thirteen was further sought in exegesis and analogy. Some sources derive the standard from a verse in Isaiah. "This (*zu*) people which I created for Myself, that they may tell My praise" (43:21). The numerical value of *zu*, "this," is thirteen. Only at thirteen does one reaches majority and, consequently, becomes obligated "to tell My praise."⁵⁵ Other sources claim that, just as it is established that God has attributes of mercy, which number thirteen,⁵⁶ and that there are thirteen rules of exegists,⁵⁷ so is the standard for male majority set at thirteen.

The otherwise enigmatic passage in *Avot* "thirteen years for the performance of the commandments" was taken by many to establish the statutory nature of fixing male majority at thirteen.⁵⁸ The *Zohar* also considered the age requirement an essential, fixed standard according to which a child's majority must be determined. The *Zohar* and

53. To *O.H.* 37:3; 119:10, see *O.H.* 55:5. "Rava's presumption" was both that the male had reached puberty at thirteen and one day, and that the female had reached puberty by twelve years and one day. This, along with countless other statements in Rabbinic literature, establishes the halakhic norm which equates female majority with twelve years and one day. It is, therefore, thoroughly defensible to designate a girl bat-mizvah at that age. There can be little objectionable in the desire to have some kind of ceremony herald the girl's coming into majority. The only challenge is to develop details of such a ceremony which are consonant with halakhah. (Compare Moses Feinstein, *Op. cit.* where an absolute rejection of the notion of bat-mizvah is strongly stated.) Historically speaking, it seems that a ceremony accompanying a girl's entrance into majority was a French or Italian innovation of the nineteenth century. The practice was apparently introduced in America by Mordecai M. Kaplan in 1923, (*Encyclopedia Judaica* "Bar Mitzvah" and see Evelyn Garfiel, *Service of the Heart* [U.S.A., 1958], p. 170).

54. *Yam Shel Shlomo Baba Kama* 7:37.

55. Jonathan of Lunel, *Orhot Hayyim*, "Hilkhot Tefilah" # 73; Simeon b. Zemah Duran, *Magen Avot* and Jacob Moëlln *Responsa*, # 51; Hayyim b. Bezalel, "Hayyim Tovim," *Sefer ha-Hayyim*, ch. 2.

56. *Zohar*, *Midrash Ha-Ne-elam*—with commentary of *Sulam*, vol. 9, p. 151, paragraphs 4-5 and Tishbi, *Op. Cit.* II 45.

57. Nahum of Tchernoble, *Meor Enayim* end "Terumah."

58. Rashi and Ovodia Bertinoro on *Avot* 5:21; etcetera.

Duran compare a child under thirteen to an *orlah*, a tree whose fruit is not mature enough for sacred use (see Leviticus 19:23). To paraphrase the Zohar, when the child becomes thirteen, he is said to emerge from his years of immaturity (*orlah*) and is liberated from the sphere of the unclean spirit (*orlah*) to which he had been assigned.⁵⁹

Two Levels of Majority

Contrary to popular belief, reaching the age of thirteen grants a youth only partial and not complete majority. Becoming bar mizvah or bat mizvah marks only the initiation into majority; it is not the assertion that full maturity has been attained.⁶⁰ According to halakhic and extra-halakhic sources, one is not *totally* responsible for one's deeds until the age of twenty, for only then is one considered fully mature and as having reached the acme of one's powers.⁶¹

According to the Zohar, each stage signifies a spiritual metamorphosis. A new person is born; a new soul is bestowed; new vistas for spiritual and intellectual development open:

A boy who has reached the age of thirteen becomes a son of the Community of Israel until he is twenty. When he is twenty, *if he is worthy*, he becomes a son of the Holy One, one of those of whom it is written, "Sons are you to the Lord your God" (Deuteronomy 14:1).⁶²

In a similar vein, Rabbi Naḥum of Tchernoble also emphasizes the role of individual effort as well as that of age. There are, he suggests,

59. Zohar II 89a, "Mishpatim" and Zohar "Sitre Torah" I 78b "Lekh L'kha;" see also Simeon b. Zemah Duran, *Magen Avot* on *Avot* 5:21.

60. Also expressive of this may be the Talmudic notion, concretized in the codes, that marriage for a male before thirteen is improper, at thirteen is meritorious, by twenty is laudatory, but after twenty is reprehensible. See *Shulḥan Arukh*, *Even Ha Ezer* 1:3 and commentary of R. Moses Brisk, *Hilkhot Mehokak* there. See also Robert Gordis, "The Knowledge of Good and Evil in the old Testament and the Qumran Scrolls," *Journal of Biblical Literature* 76:2 (June, 1957), pp. 124, 137f.

61. Possibly expressive of this notion is the Rabbinic description of Adam and Eve, at their creation, as youths of twenty, possessing the qualities of one who had attained the acme of human perfection and development.

(See *Genesis Rabbah* 14:7, *Numbers Rabbah* 12:8, *Song of Songs Rabbah* 3:11; echoes of this notion in *Hullin* 60a and *Judah Ha-Levi*, *Kuzari* 1:95.) It should be noted that while initiation into maturity is different for male (thirteen) and female (twelve), complete maturity for *both* is identified with twenty. (Sources above and Maimonides *C.M. Sanhedrin* 7:4.)

62. Zohar II 101a and "Mishpatim" II 98a; see also, Zohar *Midrash Ha-Ne-elam* with commentary of *Sulam*, Vol. IX, p. 151, par. 415. On a less metaphysical level there are adequate precedents to establish the view that in terms of certain commercial and religious activities twenty and not thirteen was considered the age of majority. See, for example: R. Huna b. Hinena in the name of R. Naḥman in *Baba Batra* 115a; R. Naḥman in the name of R. Samuel in *B.B.* 156a; *Mishnah Torah* "Hilkhot Mekhirah" 2:13; see Isaac Herzog, *Main Institutions of Jewish Law* (London: Soncino, 1936), volume I, pp. 42, 51, 275; II, pp. 151f.; and *Soferim* 14:17; *Hullin* 24b; *Tosefta Zevahim* 11:6; *Tosefta Hagiga* 1:13 and Saul Lieberman's discussion in *Tosefta Kifshuta* "Hagiga," pp. 1274ff. (N.Y.: JTSA, 1962).

two varieties of majority attainable at bar mizvah. One is granted automatically, when the boy reaches thirteen; this is called "primary majority." The other, achieved only through individual effort, is an expression of personal commitment to continued religious growth; this is called "secondary majority." Until the second level has been attained, one is bar mizvah in name only. It may be advisable to find a concrete way of expressing this notion which defines Jewish adulthood by deeds as well as by age.⁶³

A Final Note

This study has sought only to define bar-mizvah within the framework of halakhic and extra-halakhic literature. In doing so, it is hoped that a basis has been established for future deliberations and proposals authentically aimed at enhancing and enriching the celebration of bar-mizvah.

63. *Meor Enayyim*, "Terumah" end.

Is the God of Maimonides Truly Unknowable?

SHUBERT SPERO

GENERALLY, A PERSON'S MOTIVATIONS IN DEVELOPING a particular theory are irrelevant to our judgment of the validity of that theory. The psychologist, of course, may be interested in discovering relationships between an individual's temperament and the kind of beliefs he espouses. The historian, too, is concerned, among other things, to trace the influence of earlier thinkers upon the thought of contemporaries. The philosopher, however, is persuaded by his logic that whatever may have brought a person to make a particular statement does not affect the truth content of that statement. And since the philosopher qua philosopher is primarily engaged in the pursuit of truth, he is usually not given to motivational analysis. Consider, however, a situation where the precise meaning of the theory itself is in question so that we have before us two possible interpretations. Were we to have an insight into the author's intentions or what considerations brought him to adopt this theory, we might have some guidance as to the proper exegesis. As the problem of meaning is logically prior to the question of truth and presupposed by it, understanding a thinker's motivations can thus have heuristic value in assisting the philosopher towards his ultimate goal.

The above observations seem to me to have a useful application in the case of Maimonides' theory of our knowledge of God and the way it has figured in recent discussion. In a closely-argued article in the pages of this journal, Norbert Samuelson introduces the reader to a discussion of Maimonides' views of our knowledge of God by posing the problem of theodicy.¹ He points out that the presence of evil in the world seems to contradict God's omniscience, omnipotence or goodness. In order to overcome the problem the believer may take refuge in the claim that these predicates, when applied to God, mean something else than when applied to man: "What is good in the eyes of God is not what is good in the eyes of man."² The implication of Samuelson's presentation seems to be that Maimonides' theory of the Divine attributes is in some sense a proposed solution to the problem of theodicy. Such an implication is misleading. Maimonides never offers his theory as such, and for good

1. Norbert Samuelson, "On Knowing God; Maimonides, Gersonides, and the Philosophy of Religion," *JUDAISM*, 18, No. 1 (Winter 1969), pp. 64-77.

2. *Ibid.*, p. 65.

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reason. Maimonides acknowledges that the moral attributes of God describe His actions and His relations to human beings. But God's relations to His creatures have always served as a model and inspiration for human beings in their relationship to each other: "Abba Shaul says, 'Be like unto Him, as He is merciful and gracious, so shall you be merciful and gracious.'"³ Therefore, when we are told that, "All His ways are just," the predicate "just," of necessity, means the same as when it is applied to inter-human relationships throughout the Bible. "For it has been told to thee, O man, what is good." And if what is good in the eyes of God is not good in the eyes of man, then the entire point of a moral God and the Rabbinic teaching of *Imitatio Dei* collapses!⁴ Whatever solutions may be offered for the problem of theodicy, an equivocal use of ethical predicates cannot be one of them. (And, to my knowledge, was never proposed by Jewish theologians.)

In a less recent article, Fred Sommers uses as his springboard into a discussion of Maimonides' concept of God the Aristotelian theory that no term can be univocally predicated of things that belong to two different categories.⁵ Although Sommers ultimately shows the Aristotelian theory to be fallacious and introduces other more cogent grounds for Maimonides' teaching, he concludes that "medieval theologians were too hasty in their effort to remove from God all traces of materiality" and may have paid too high a price.⁶

I wish to argue that Maimonides' theory of negative theology need not be given the agnostic interpretation attributed to it by the aforementioned writers. By "negative theology" we have reference to the doctrine which states that descriptions of God are positive in their grammatical form only. In reality, they tell us what God is not. Thus, the proposition, "God is wise" means only that He is not what in man we call foolish. The more we learn to negate of God the more we grow in our real knowledge of Him. While according to Maimonides we cannot know the essence of God, there is, nevertheless, a good deal we can say about God which is illuminating and which is adequate to support the Jewish religious enterprise. I shall attempt to demonstrate the incorrectness of Sommers' assertion "that there is no middle ground between univocity and equivocity." Contrary to Samuelson, I wish to assert that, for Maimonides, the God of the philosophers is the God of Abraham, Isaac and Jacob, successfully, consistently and truly. I shall

3. Shabbos 133b.

4. In this spirit, Maimonides interprets the conclusion of Moses' prayer in Ex. 33:16: "That I may know Thee, that I may find grace in Thy sight and consider that this nation is Thy people." Says Maimonides, "That is to say, the people whom I have to rule by certain acts in the performance of which I must be guided by Thy own acts in governing them" (*Guide I Liv.*).

5. Fred Sommers, "What We Can Say About God," *JUDAISM*, 15, No. 1 (Winter 1966), pp. 61-73.

6. *Ibid.*, p. 72.

try to show that understanding the pressures which led Maimonides to his theory tends to support the thesis that Maimonides intended to use his theory of negative attributes as a means for expressing a positive content in our knowledge of God.

The popular image of Maimonides as one who reconciled Judaism and Greek thought, conceives of him as a philosopher overwhelmed by the truth of metaphysical speculation who proceeds to "adjust" Biblical theology accordingly.⁷ Whatever merit this image may have for Maimonides' philosophy generally, and I do not wish to argue that here, I wish to suggest that it is profoundly misleading if applied to his concept of God. Here, I believe it can be shown, Maimonides did not distort theology to fit philosophy, but simply utilized philosophical methods to sharpen and refine a theological concept.⁸ And to submit a religious idea to philosophical analysis was, in itself, seen as a genuine religious demand. Nothing could be clearer than the Biblical insistence upon the unity of God, the prohibitions against picturing Him, and His uniqueness.⁹ Not quite as explicit, but no less central in Biblical and Rabbinic thought, is the concept of God as the everlasting and totally independent ground of all being which later comes to be called *absolute existence* or *necessary existence*.¹⁰ It is here, and no place else, that we must locate the source and pressure point which leads to Maimonides' concept of negative attributes. The impulse comes, not from Aristotle's theory of the categories, nor from the problem of evil in the world. The primary motivation stems from basic and profound religious principles: God's unity, His absolute existence and their implications.¹¹

Let us briefly trace the unfolding of the problem as perceived by Maimonides. The Bible, in proclaiming, "The Lord is one," teaches that God's nature is simple and incomposite, which, in the language of Maimonides' time, means that God's existence is identical with His essence. Now there is no predicate which does not signify either an essential attribute or an accidental attribute. By the former we mean any quality which defines the primary nature of something or that which makes a thing what it is. By the latter, we mean qualities which can be altered without affecting a thing's real nature. For example, having a seat is an essential attribute of a chair; for without a seat an object could not function as a chair. But having a particular color such as brown is not essential to being a chair and so, for chairs, color is an accidental attribute.

7. For a spirited defense of the "Jewishness" of Maimonides' theology, see the essay of Rabbi A. I. Kook in *Toldot Yisrael*, Zev Yavetz, Vol. 12, (Tel Aviv, 1934).

8. See Izhak Guttman, *Dat Umadah*, (Jerusalem, 1954), p. 104.

9. Deut. 4:12; Deut. 6:4; Isaiah 45:5-7; Isaiah 40:25.

10. Ex. 3:14; Midrash Tehillim on Psalm XC:1; J. Albo, *Ikkarim* II, 27.

11. Moses Maimonides, *Guide for the Perplexed*, Trans. M. Friedlander (New York: E. P. Dutton & Co., 1942), p. 69.

The use of essential attributes in reference to God would appear to be innocuous since they turn out to be either tautologies or mere explanations of a name. But even as such they prove inadmissible because God is not a member of any class or genus. Hence, a conventional definition in terms of genus and difference similar to, "Man is a rational animal" is impossible in reference to God. But accidental attributes certainly cannot be ascribed to God. For to make God the subject of predicates is to imply that He consists of an essence bearing qualities which is already composite and not simple. It would therefore follow that it is logically impossible to predicate any sort of attributes of God.

Does this mean that God is totally unknowable or completely beyond human comprehension and description? In the sense that man cannot know anything about the essence of God, the answer is in the affirmative. Clearly, therefore, any predication that is nevertheless made of God cannot mean what the term ordinarily means in human discourse. But this is not to say that these sentences are unintelligible and just so much gibberish. As a professing Jew, Maimonides had to account for the Biblical descriptions of God as possessing aspects of personality, as a source of ethical value, as creator of the world, as a living reality in the lives of individuals and as the guiding factor in the affairs of nations. It was in answer to this need that Maimonides offered his doctrine of negative theology which consists of two aspects: the attributes of action and the negative attributes. These two aspects of our knowledge of God must be considered separately, as well as in interaction with each other, in order to be fully understood.

In view of the setting of the problem, what we should expect to find in this doctrine is not unrelieved agnosticism but a device which, while respecting the logical implications of God's otherness, will enable us meaningfully to assert of God what our religious sentiments urge upon us. Let us now examine the doctrine itself and see whether Maimonides was successful in his program.

The essence of the Torah's teaching on the subject of our knowledge of God, according to Maimonides, is contained in the Book of Exodus in the dialogue between Moses and God. Moses makes two requests of God: (1) "Show me Thy ways," and (2) "Show me Thy glory."¹² The first is a request for the knowledge of God's attributes, the second for the knowledge of God's essence. In response to the latter, Moses is told, "Man cannot see me and live," which means that the essence of God is unknowable for man as man. However, Moses does receive a favorable reply to his first question, namely, "I will cause all my goodness to pass before thee." This, in effect, means, as is borne out by the remainder of that section in the Torah, that God can be known by His qualities (*middot*) which are nothing more than a knowledge of the works or

12. Ex. 33:13, 18.

actions of God.¹³ Maimonides makes it clear that to describe God by attributing to Him certain actions or works is an appropriate form of description because it does not imply anything as to how these actions are produced or what elements must be contained in the agent in order to produce the actions.¹⁴ Thus, in response to the question, "Who is God?," it is perfectly legitimate to reply, "God is the creator of the world, the giver of the Torah, the liberator of our people from Egyptian bondage." Furthermore, attributions of certain qualities to God such as "graciousness" or "mercy" are to be reduced to, or analyzed as, attributes of action. When we say that "A is merciful," where A is a human being, we imply two things: (1) that A performs certain kinds of actions of beneficial consequence to others, particularly the weak and helpless; and (2) that A is subject to certain emotions or psychological dispositions. When we say that "God is merciful" we must reject (2) since nothing may be added to God's essence, but we retain (1) .

If attributes of action are admissible as descriptions of God, relational attributes are as well, for the former can be transposed into the latter. Thus, if God can be described as the creator of the world, then my relationship to God is that of creature to creator. If God is the giver of the Torah and legislates for man, then there is a sense in which I can relate to God as obedient subject or as rebel. At one point, Maimonides clearly identifies the two by saying, "There is no difference whether these various attributes refer to His actions or to relations between Him and His works."¹⁵

What has been found confusing, however, is the fact that Maimonides seems to reject the attribution of the quality of relation to God which would deny that there can be any relation between God and His creatures. A careful review of the relevant passages, however, leads to the conclusion that Maimonides distinguished between a strong and weak sense of relational attributes. Maimonides was convinced that in a *strict and literal sense*, for two things to be related or correlated they must belong to the same category, which implies some degree of similarity. Although he acknowledges that, "relations are not the essence of a thing nor are they so intimately connected with it as qualities,"¹⁶

13. *Guide*, p. 75.

14. *Ibid.*, p. 72.

15. *Ibid.*, p. 74.

16. This does not appear convincing to us today. Maimonides says, "There is no relation between two things that have no similarity to each other" (p. 79) and, "It is impossible to imagine a relation between intellect and sight" (p. 71). But why not? Could it not be said that intellect is partially dependent upon sight for the perceptions which it tries to understand? Maimonides seems to have felt that to say that two things are related in the strict sense is to assume certain knowledge about both terms in the relationship and a real interaction between them. Maimonides does seem to find acceptable a use of the term relation in reference to God wherein "these relations exist only in the thoughts of men" (p. 74).

nevertheless, Maimonides contends that, logically, were we to attribute relations to God, the concept of God's unity would be impaired as, "God would be subject to the accident of relation." However, the nicety of the logical point must be waived in the light of Maimonides' conclusion that, "these (relational attributes) are the most appropriate of all attributes to be employed, *in a less strict sense*, in reference to God because they do not imply that a plurality of eternal things exist or that any change takes place in the essence of God when those things change to which God is in relation."¹⁷

We see that Maimonides insists upon the admissibility of assertions about God which are necessary to describe the religious experience of the Jew. God, whatever His essence may be, impinges upon the life of man through His activities. Man, in becoming aware of God's agency in these works, acknowledges the relationship which is thus seen to obtain between himself and God.¹⁸

In order to perceive how all this is related to the theory of negative attributes, we must take another look at the attributes of action. What do we mean when we say that God created the world or that He liberated Israel from bondage? Are we saying merely that God is the mechanical cause of the universe, the antecedent factor that produced the universe, or do we have something more in mind? The Biblical account of the relationship between God and the universe and between God and man quite clearly includes the notion of *purposive* action. God is not only cause but agent. The universe as it comes into being, the Bible suggests, possesses certain features in consequence of a plan or objective intended by God. The Jewish people are brought forth from Egypt in order to assume a certain role in history so that God's goals may be realized. In order to describe fully the actions of God, therefore, we are compelled to speak of a purposive element which suggests that God possesses something which corresponds to the will in man, in virtue of which He gives to things existence in accordance with His desire. Furthermore, purposive creation, in the sense described, combined with the Biblical concept of providence, implies that God knows, or has knowledge, at least in the sense that He is aware of what He is doing. Finally, to create implies the power to create. It follows, therefore, that God possesses something which corresponds to power in human experience. But note what has happened in the course of our discussion. We are no longer describing God's actions but have been led into an attempt to express something about God Himself. We thus arrive at the so-called "essential attributes:" God's life, power, wisdom and will.¹⁹ But the principle of

17. *Guide*, p. 72.

18. For the importance of relational predicates see Eliezer Berkovits, *God, Men and History* (New York: Jonathan David, 1959), pp. 55-59 and Martin Buber, *Eclipse of God* (New York: Harper and Brothers, 1952), pp. 126-127.

19. *Guide*, p. 74.

God's unity precludes the addition of any element to His essence. Hence, to express ourselves correctly, we must say, "God lives without possessing the attribute of life; knows without possessing the attribute of knowledge; is omnipotent without possessing the attribute of omnipotence."²⁰ Maimonides argues that the assertion that one simple substance can cause different actions is not unintelligible. However, since there is no similarity between God and man, the term "knows" must be predicated equivocally. Granting, therefore, all that has been said, we have still not solved the problem as to what is meant by the word "knows" in the sentence, "God knows without possessing the attribute of knowledge." It is at this point that Maimonides introduces his theory of negative

In recent discussions on the intelligibility of "God-talk" in philosophical literature, there has been a good deal of analysis of analogical predication, the method favored by Aquinas, but very little about the *via negativa*.²¹ Even when negative theology is mentioned for the sake of completeness, it is soon dismissed with the judgment that it has never been clearly formulated or that it is obviously inadequate.²² Thus, for example, it has been argued that, according to the theory of negative attributes, the assertion, "God is wise," is to be translated as, "God is not ignorant." But "ignorance" is the absence of wisdom or "not-wise." Therefore, to assert, "God is not ignorant" is the equivalent of, "God is not not-wise" which, by the meaning of double negation, is "God is wise." What, therefore, has been gained by using the locution, "God is not ignorant?"

However, in so construing Maimonides' theory of negative attributes, a twofold injustice has been done to the sage of Fostat. He has been criticized for what he did not teach, while his actual contribution goes generally unrecognized.²³

To begin with, he meant his theory to apply only to the so-called essential attributes like knowledge, power, wisdom, life. Other predicates function differently when ascribed to God. Secondly, Maimonides spoke of privation instead of negation. When we say God is one, we are not saying He is not many, but non-many, i.e., the terms of quantity cannot at all be predicated of Him. The difference between the negative and

20. Ibid., p. 80.

21. The following two works do not treat negative theology at all, while giving full treatment to the theory of analogy: F. Ferre, *Language, Logic and God* (New York: Harper and Row, 1961), pp. 67-78, and W. T. Blackstone, *The Problem of Religious Knowledge* (Englewood Cliffs, N. J.: Prentice-Hall, 1963), pp. 62-70.

22. Frank Dillery, *Metaphysics and Religious Language* (New York: Columbia University Press, 1964), p. 86. Joseph M. Bochenski, *The Logic of Religion* (New York: New York University Press, 1965), p. 111.

23. In my interpretation of Maimonides' theory of negative attributes I shall follow completely the analysis of Z. Diesendruck, "Maimonides' Theory of the Negation of Privation," *Proceedings of the American Academy for Jewish Research*, VI (1934-1935), p. 141.

the privative depends on the object of the negation. In the negative proposition, the negative attacks the copula. Thus, to say, "The enterprise is not making profit," is to deny the assertion, "The enterprise *is* making profit." In the privative proposition, the negative attacks the predicate. Therefore, to say, "The enterprise is non profit-making," is to deny that the *predicate* "making profit" applies at all to this particular enterprise. The privative proposition may also be called infinite because it eliminates from the infinite number of possible predicates only one so that the infinity remains untouched. In its developed form, Maimonides construes the attribution of the essential attributes to God as a privation of a privation. Thus, to say, "God is wise" is to say "God is non-ignorant" or "non non-wise." It is a positive infinite proposition.

In our case, this proposition, "God is non-non-wise," amounts to the statement, "Whatever we may exclude from being predicated about God, wisdom must remain." As Diesendruck points out, such an analysis is both less and more than a positive attribute. It is less, because the predicate remains at a certain distance from the subject in the field of possible predicates. It is more, because it asserts a necessary connection instead of a factual one. We are saying, "Of God one *must* be able to say that He is wise." The end result is something highly positive. We have removed the possibility of eliminating wisdom from God.

This theory of double privation is to be regarded only as the logical framework which makes it technically possible for these essential attributes to be predicated of God. Through its means, we are able to express, in the form of a necessary proposition, the concept that these essential attributes must remain possible predicates.

This positive interpretation of Maimonides is shared by Julius Guttman who writes, "Maimonides' doctrine of the negation of privations enables us to say that the simple essence of God includes within itself perfections which correspond in one way or another to the qualities of knowledge, will and power but whose essence remains undetermined."²⁴

This interpretation is supported by the several instances in which Maimonides, in responding to a problem, is not satisfied simply to state that the attribute involved is applied to God and man equivocally, but insists on trying to provide some intelligibility to the distinction. Thus, he distinguishes between the knowledge that an outsider has of an object by observation and the knowledge that the producer has of the object from within, as it were, because he built it in a certain way. "God," says Maimonides, "knows fully His unchangeable essence and thus has a knowledge of all that results from any of His acts."²⁵

Similarly, in discussing the concept of will, Maimonides argues that

24. Julius Guttman, *Philosophies of Judaism* (New York: Holt, Rinehart and Winston, 1964), p. 164.

25. *Guide*, p. 295.

if we can image the will of an absolutely spiritual being which does not depend on external causes, it would be unchangeable even if it desires "one thing one day and another thing another day."²⁶

These efforts on the part of Maimonides to discuss the attributes of will and knowledge as they *might* apply to God, while at the same time upholding the equivocity of these predicates if positively affirmed of God, seems to suggest that these attributions, correctly construed as analyzed above, contain some intelligibility nevertheless.²⁷ Although qualitatively different, there is some perfection in God's essence which corresponds to knowledge. To use a spatial metaphor, Divine knowledge grounded in the Godhead is shrouded in mystery, but by virtue of God's relations to a universe which He has created and which He governs, we can reliably affirm that we are somehow known to God. In short, whatever content is to be given to these attributes emanates from the human side and is directed at God's works, i.e., the points at which He relates to man and the world.

Perhaps we can best do justice to Maimonides' theory by exploring what we might call the "allusive use of language." By this we do not mean to say that whatever corresponds to knowledge in God has properties in common with human knowledge or that they are analogates which bear resemblance to each other. We do mean to suggest that perhaps language can be used in such a way as to give an impression of what is beyond experience, hint at God, suggest what we are to expect or, at least, "face us in a determinate direction."²⁸

Let us consider two examples of this type of language-use. The first involves the use of the word "spirit," by which we intend to designate God as transcendent or metaempirical. Can we give any kind of intelligible content to this notion? We wish to answer in the affirmative and claim that the word is taken from our own human experience and deliberately pressed into theological service, where it is given a frankly extraordinary use in the hope that it enables us to convey an allusion or hint of what we mean by God. Although God lies outside the range of possible conception, the human experience in which the word "spirit" arises, points us in a "determinate direction."

The experience we are referring to is the standpoint of agent from which we can describe what is going on in us. As agent, we utilize a set of concepts which are different from, and not reducible to, physicalist or sense data or behavioristic language. When we regard ourselves as agents, we cannot accept with complete satisfaction the idea that we are spatial-temporal objects. For certain aspects of human experience—

26. *Ibid.*, p. 183.

27. Guttman, *Dat Umadah*, pp. 110–111.

28. I. M. Crombie, "The Possibility of Theological Statements," *Religious Language and the Problem of Religious Knowledge*, ed. R. E. Santoni (Bloomington, Indiana: Indiana University Press, 1968), p. 108.

loving, hoping, feeling,—have a relative independence of space. It is here that the notion of man as spirit is born. The experience of our own subjectivity gives us the idea of something which can transcend the spatial-temporal realm.²⁹

Of course, the words “spirit” and “spiritual” occur in our language in connection with subjectivity only in relation to characteristics and activities of men and are always correlated to physical and behavioristic activities. However, when we draft the word for theological use and describe God as pure spirit, we deliberately commit a category mistake and assert (1) that “spirit” retains specific meaning by connection with spirituality as the name of a human aspect, but (2) is to be governed by a rule declaring that this noun is not to be taken as an abstract noun like “smile” but as a concrete noun like “man.”

I wish to make it clear that I am not arguing that we now have a perfectly clear concept of disembodied spirit or pure spirit or of a being that is beyond space and time. I am claiming that, by abstraction from ordinary experience, we can gain some hint of a reality where “what is imperfectly realized in us is fully and perfectly realized.” We are referred out of experience but in a specific direction.

A second instance of the allusive use of language are the terms “infinite” and “unconditioned” as applied to God. Here, too, as we noticed in connection with the term “spirit,” the word does not acquire its sense by reference to God’s properties, but rather from some human experience which, far from being a model, nevertheless suggests, in some sense, a direction in which to look and hints at what sort of thing to expect. The experience I have reference to is what has been called “the sense of contingency.” This can start with the feeling, often noted in religious literature, of the transiency of all things, of the tenuous and precarious character of our existence, of the uncertainty and gratuitousness of all things. From here it is but a step to the insight that our universe is, in some sense, a derivative one, dependent upon something else, both from an explanatory as well as from an ontological point of view. But here, again, I am not concerned to revive the cosmological argument for the existence of God or to argue from contingency to the existence of a necessary being. All I wish to claim is that the sense of contingency gives some meaning to the notion of infinite or unconditioned being. Many writers who reject the cosmological proof as such, acknowledge its authenticity as an expression of certain general features of our experience—wonderment and anxiety from which we can go on “to imagine a mode of being that is instead stable and invulnerable.”

In the words of Crombie,

From the fact that this universe is something about which one is prompted

29. I. T. Ramsey, “On Understanding Mystery,” *Philosophy and Religion*, ed. J. A. Gill (Minneapolis, Minn.: Burgess Pub. Co., 1968), p. 298.

to ask where it comes from, there emerges the corollary that there might be something about which one was not prompted to ask this question.³⁰

From our awareness of a sense that this is a derivative universe, that it is not its own origin, can spring the corollary that a non-derivative being might exist, a being concerning whom there would not arise the sort of "intellectual dissatisfaction" which we sometimes experience with the notion that this universe is a complete self-subsistent system.

Here, again, theology must plead guilty to deliberate distortion of language. For the words "contingent" and "necessary," which are traditionally employed in this context, are ordinarily used to apply to statements only. A necessary statement is one whose denial involves a breach of the laws of logic. By this criterion, all existential statements are contingent, so that the phrase "necessary existent" is a self-contradiction. But, as in the previous example, we are induced to strain and distort our language in order to respond to the intellectual pressures of religious insight and give expression to them. Thus,

The expression "God" is to refer to that object whatever it is, and if there be one, which is such that the knowledge of it would be to us knowledge of the unfamiliar term in the contrast between finite and infinite.³¹

This ability on our part to use our notion of limited and deficient perfection as a springboard to point the mind beyond the limits of its experience is likewise seen by W. N. Clarke as the solution to our dilemma of intelligibility. He says,

The meaningfulness of our language and thought about the infinite finds its support in the profound human experience of discerning within our world the latter's intrinsic character of radical limitation, deficiency, and inability to satisfy our deepest exigencies of intellect and will. This notion . . . is a highly dynamic one . . . which points beyond itself to a mysterious plenitude in the same line, affirmable though not representable.³²

We do not properly look away from the finite to find the infinite; "we find it by looking more deeply into the finite itself."

It is important to see how this approach differs from the theory of analogical predication favored by Thomas Aquinas. In this type of usage, the word, in its analogical application, is not identical in meaning with its ordinary usage, but is similar in some sense. For example, if I say, "The lion is king of the beasts," I do not mean that the lion is a king in exactly the same way as Haile Selassie is king. But it might mean that the lion is regal in its bearing or that the other beasts fear the lion. In the view of its supporters, this doctrine of analogical predication, when applied to God, is supposed to avoid effectively both univocal

30. Crombie, *Op. cit.*, p. 113.

31 I. M. Crombie, "Theology and Falsification," *New Essays in Philosophical Theology*, ed. A. Flew and A. MacIntyre (New York: The Macmillan Co., 1955), p. 124.

32. W. N. Clarke, "On Professors Ziff, Niebuhr, and Tillich," *Religious Experience and Truth*, ed. S. Hook (New York: N. Y. U. Press, 1961), p. 229.

and equivocal predication while retaining the meaningfulness of religious sentences. This they attempt to do by appealing to the notion of proportionality. Thus, while both cabbages and men may be said to be alive, each possesses life in the mode proper to its kind. Therefore, we might assert that God's goodness is to God as man's goodness is to man. However, it has been argued, that whereas our nonanalogical knowledge of cabbages enables us to form some idea as to the sense in which cabbages may be said to be alive, we have no other knowledge of God in connection with which we can understand His goodness.

In any event, analogical predication constitutes a positive attribution, with the burden of intelligibility resting on the side of God. It is, therefore, to be seriously doubted whether this approach gives us any knowledge of God. In the case of Maimonides, however, using his logical framework, I maintain that these essential attributes are not being predicated of God. To say, "God knows" is to use the term "knows" in a sense that is equivocal with its use in ordinary discourse. That sentence may be uttered meaningfully only if it is translated as negation of privation. The conceptual content that we now give it, by means of allusion, comes from the human side. Whatever God's knowledge consists of, it must eventuate in that kind of relationship with His creatures in which it is not absurd to say, "We are known by God."

It has been suggested that when we apply a predicate to God in this sense, we are using it as a "floor concept" rather than as a "ceiling concept." That is to say, that whatever this predicate may turn out to be in God, it cannot fall below this sort of possibility.³³

A somewhat different analysis holds for the moral attributes "merciful, gracious, kind," and the like. I certainly do not wish to say that there is something in God which corresponds to the emotion of mercy. I have already stated that to say that, "God is merciful," is to say that the actions which we attribute to God are of the same type as the actions of a person which we would call merciful. But this is to relate God to moral predicates in a manner which appears to be at once both more and less intimate than the essential attributes. It is less intimate in the sense already indicated, in that, while we wish to say that there is some perfection in God which corresponds to knowledge, we cannot say that there is something in God which corresponds to mercy. This is because, insofar as this quality exists in man, it is associated with an emotion which Maimonides sees as a defect and, therefore, may not be attributed to God.³⁴ On the other hand, there is a sense in which God's relation to moral predicates is more intimate than the essential attributes. For when we affirm that we can expect from God merciful actions and never unjust actions, we are committing God to an ethical course which

33. *Ibid.*, p. 230.

34. *Guide*, p. 77.

behaviorally is identical with what we would expect from humans. Although we thereby expose ourselves to the problem of evil in the world in all its unmitigated force, this is the price we must be prepared to pay. For it is our conception of the merciful and righteous God which is the basis of the important doctrine of *Imitatio Dei* and is the source of Judaism's moral passion and earnestness. There can, therefore, be no equivocation in the essential meaning of moral predicates.

These moral predicates have been called "regulative ideas" of God, in the sense that they do not tell us what God is within Himself but how He wills that we should think of Him in order to guide our behavior. However, even here, language functions in an allusive sense to provide some conceptual content. God wants you to think of Him as good or loving because this is as close to the truth as you can get. Were you able to comprehend the truth about God you would not find your present impression based on these attributes as misleading. In the words of Henry Mansel:

If we could know the life of God, we should see in it something which human love really resembles, so that to call it love would be the best way of saying what it is in human language. Thus, conduct which flows from the belief that God is love is not only the best kind of conduct, judged by the scales of human ethical values, but is also the kind of conduct which corresponds best with reality. If you are unable to imagine what the reality is, you can know at any rate that it is of such a character that the right reaction to it in conduct and feeling is the reaction which follows upon your thinking of the ground of the universe as a loving God.³⁵

So conceived, Maimonides' theory of negative attributes emerges, not as a doctrine which exudes a cloud of agnosticism over the Jewish concept of God, but as a logical device which safeguards concepts of God's unity and uniqueness while providing a framework into which the content of Biblical and Rabbinic religious experiences could be poured. Therefore, in reply to the assertion of Professor Sommers, that "there is no middle ground between univocity and equivocity," I wish to say the following: True, there is no *middle* ground; however, there may be the *high ground* of allusive language which may rewardingly be trod.

To the problems raised by Norbert Samuelson I submit, first, that the interpretation of Maimonides' theory of negative attributes given above, escapes the criticism of Gersonides referred to by him. Secondly, identifying the God of Abraham, Isaac and Jacob with the God of the philosophers was no mistake for Maimonides. For him they are not rivals, but entries in different systems of bookkeeping for the same reality. For Maimonides, philosophy liberated the theological mind from the bewitchment of language. And that is not an inconsiderable contribution.

35. Quoted by E. R. Bevan, *Symbolism and Belief* (New York: Macmillan, 1938), pp. 332-333.

Maimonides As A Young Man

MEIR HAVAZELET

THOUSANDS OF BOOKS, ARTICLES AND RESEARCH papers have been written on the many-faceted personality of Maimonides. On the surface, it would appear that all remarks relevant to this subject have been exhausted and that there remains no aspect which requires further illumination. But all who, heretofore, engaged in this study saw in their mind's eye the distinguished Rambam, the author of *Hayad Hahazakah* and *Moreh Nevukhim*, i.e. Maimonides in the fullness of his stature and at the height of his moral and spiritual maturity. As H. Z. Graetz, the most eminent Jewish historian of our age, describes him:

He had a perfectly logical and methodical mind, capable of setting in proper order things large and small, and building them into solid structures. . . . He was genuinely a wise man in the true sense of the word and really worthy of admiration.¹

This approach in portraying Maimonides' image and analyzing his personality is still the one most accepted and widespread today. No special research, however, has been devoted to Maimonides as a young man—to the earlier stages of his evolving philosophy and to the process of crystallization in the development of his personality. Not that source material is lacking. The Rambam's Responsa and the recorded oral testimony given by his contemporaries paint a clear picture of him as a young man. He emerges as a fiery youth of turbulent character and stormy faculties, in the habit of attacking his opponents head on, aiming at them the razor-sharp arrows of his wrath. The blows he meted out were both hard and painful.

The firmly constructed, brilliantly delineated concepts which abound in his magnificent works were, as yet, flimsy and unstable in the early period of Maimonides' life, and clear evidence of his mental state of flux at this age may be found in his attitude toward the Karaites. In his writings, he demands repeatedly that they be severely punished. He was twenty-eight years old when he published the celebrated *Epistle to the Yemenites*, in which, unable to restrain himself, he advocated violence toward the Karaites. Pointing out, by rule of thumb, that shedding their blood was not only permissible, but actually a *mizvah*, he argues as follows:

Beware of mingling with one of the heretics. May they soon be wiped

1. H. Graetz, *History of the Jews*, Kaminetzsky edition (Tel Aviv, 1955), Vol. III, pp. 109–110.

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out. . . . They will have a negative effect on our youth. . . . Know ye that [shedding] their blood is permitted you by the Law.²

In the great work that Maimonides wrote at the peak of his mental prowess, he changed his attitude to the Karaites from one extreme to the other. After declaring that, in theory, shedding their blood is permissible, he suggests that in practice

. . . these lost children whose fathers misled them and who were born among the Karaites . . . deserve to be prodded by peaceful words and returned in repentance to the everlasting Torah.

In this vein, and in even warmer terms, he expressed his stand in a responsum which he wrote to some questions in *How Shall the Rabbis Deal with Them?* These responsa contain the full range of his relationship with the Karaites and constitute a sort of social platform to guide the Jews in dealing with the Karaites in all the Moslem countries. He advises:

They are worthy of receiving their share of honor, of being brought closer by acts of justice, and of being treated with all humility in peace and truth. . . . You ought to visit them to ask after their health, even in their homes and even on the Sabbath, bury their dead and console the bereaved, etc.³

In yet another responsum, he also recognizes the validity of marriages performed in accordance with the Karaite ritual.⁴

Rabbi Yaakov Castro, one of the great Spanish *poskim* (deciders in questions of the Law), noted this change in attitude to the Karaites which Maimonides' responsum expressed, as compared with his previous attitude as set out in his illustrious book. The transformations that occurred in Maimonides' conceptualizations and in his perspective reflect a man emotionally mellowed and intellectually sharpened by life's experiences. Because of this radical shift in attitude, Castro concluded that this responsum must have been written, not by the Rambam, but by another. In fact, however, the beginning of this changing attitude is already evident in his magnanimous *Mishneh Torah*; in the responsum it only assumes a final and unequivocal expression.

The following examples illustrate the changes which took place in Maimonides' thinking and reflect the process of his intellectual development and maturity. His attitude, both to people and to ideas, underwent a dramatic modification as his personal outlook became more rational and consistent.⁵ His changing views with regard to a) the division of the commandments, b) the book, *She'ur Komah*, 3) astrology, and d) poetry, attest to the transformation which occurred in the course of his development.

2. Maimonides, *Epistle to the Yemenites*, Halkin ed., pp. 58-59.

3. Maimonides, *Responsa*, Freiman edition, para. 371.

4. *Ibid.*, para. 162.

5. My thanks to the distinguished scholar, Dr. J. Faur, for some of his comments.

Initially, Maimonides believed that there were two kinds of commandments, rational and irrational. Traces of this division are found in his *Commentary To The Mishnah*, as is shown by the following passage:

If a man fulfills the commandments which are between him and his God, he shall be rewarded in the world to come (irrational) And if a man fulfills commandments which are between him and other humans, he will receive a reward in the world to come for fulfilling the commandments and will also profit in this world, because of his good behavior towards others (rational).⁶

Such a distinction is also found in Saadia's book of *Beliefs and Opinions*. Maimonides' criticism later on was, no doubt, directed against Saadia, who had influenced him in an earlier period. In striving for a loftier intellectual position, Maimonides abandoned the great theories of Saadia, whose distinction between the rational and the traditional commandments allowed for the historical justification of certain elements in Jewish behavior. Maimonides even rejected Bahya's middle-of-the-road reservations, which argued that at least some of the inferior "duties of the limbs" were of an irrational character. In his final search for the intrinsic reason inherent in the commandments, Maimonides rejected all elements of irrationality.⁷

Scholars and authors have erroneously fostered the impression that the Rambam maintained a consistently negative and disparaging position regarding *The Book of Divine Measurements* (*She'ur Komah*), one of the most debated works on Jewish mysticism, which was tolerated by the Gaonim but condemned by the Karaites. Originally, like the Gaonim, Maimonides himself esteemed this book and revered its tenets. As a matter of fact, he quotes from it in his *Commentary* to the Mishnah Sanhedrin.⁸ The same edition also elicited surprise from Rabbi Simon ben Semah Duran.⁹ It was only later that he reversed his stand, censuring this book, describing it as "the book of Greek preachers," and stating that "it ought to be totally suppressed."

As regards astrology, here, too, the Rambam exhibited an extreme shift of policy. In his youth, he had diligently studied and believed in it, as did Ibn Ezra, whose scholarship the Rambam admired.¹⁰ But in a later period of his life, the Rambam was, to the best of our knowledge, the only philosopher who took a public stand against magic and astrology. Forcefully he denounced them, declaring that "the Jews' pre-

6. *Commentary to the Mishnah* Peah, Kapheh edition, Chap. 1, para. 1, p. 54.

7. Salo Baron, *A Social and Religious History of the Jews* (New York: Columbia University Press), VI, p. 375 and further.

8. *Commentary to the Mishnah* Peah, Kapheh edition, Chap. 10, p. 213, note 42.

9. *Magen Avot*, part II, 21-b.

10. W. Bacher, *Maimonides' Biblical Exegesis* (Hebrew), (Tel Aviv: 1931-32), p. 101; and Alexander Marx, "The Correspondence between the Rabbis of Southern France and Maimonides About Astrology," HUCA, III, 1926, p. 45.

occupation with astrology caused the downfall of the Jewish state because this pseudo-science diverted their minds from military skills and foreign conquest.”¹¹

Yet another change was the one which affected his attitude to the writing of poetry. As a young man, Maimonides had tried, as custom ordained, to master the art of writing verse. Later, however, he expressed scorn for people who indulged in that activity.

These aspects of his changing, developing personality are referred to only in passing. Of a more serious and far-reaching nature was his severe social criticism. Maimonides revealed an uncompromising attitude towards certain people and cultures. Soon after his arrival in Egypt, he expressed his animosity towards Zutah, the head of the local community, by joining the opposition. Prof. Baron justly comments:

Regrettably, we have no statements from the defense . . . we may perhaps accept the veracity of these accusations (against Zutah) if we discount the predilections of medieval and modern scholars to assume that a man of Maimonides' superlative scholarly attainment could do no wrong in a communal conflict.¹²

On the other hand, we do have explicit criticisms leveled by Maimonides against the great Gaonic luminaries and against the French Rabbis. The Gaonic authorities and their books drew this acerbic comment:

This is the great disease and evil—that everything which people (the Gaonim) find in ancient books is to them accepted truth.

In the introduction to his *Book of Commandments*, Maimonides treats this subject further, stating:

I expect the first reader of this book to say that I am wrong, because even the chosen few accept only what agrees with the ideas of their predecessors—all the more so the masses.

In an acid remark, directed at the Gaonites' leading authority, he comments:

People accept whatever this man says as if all the reason of the world were frozen in his words. . . . A man who understands the Talmud is just as wise as any Gaon.

In other areas, too, his severe social criticism is obvious. Elsewhere, I discuss the authenticity of Maimonides' will addressed to his son, Abraham, where he expresses his contempt for the French Rabbis, condemning them severely for over-indulgence in sexual activity and for extremely gluttonous behavior.¹³

As a philosopher-sage, Maimonides knew how to overcome the in-

11. *Tshuvot Harambam*, Blau edition, No. 117, p. 200–201; *Guide*, III, XXXVII; see also, *Ibid.*, II, XII.

12. Baron, *op. cit.*, VI, v. 432, note 79.

13. Israel Abrahams, *Hebrew Ethical Wills* (Philadelphia: Jewish Publication Society, 1926), I, p. 101.

instinctive ferment of his youthful passions, behaving with calm and composure, and treating everyone with cordiality—humane attributes which are conspicuously present in all the classical works he produced. This clear-cut mental and spiritual metamorphosis was described by Maimonides, himself, to his outstanding and beloved disciple, Joseph ben Yehuda. In a letter to Maimonides, his revered teacher, the pupil complains about the unfair attitude toward Maimonides manifested by the heads of his yeshivah, who were uncompromisingly opposed to him. He exclaims, "Where is their godfearing decency?!" The master tries to still the youth's outrage and to calm him. He stresses his own tolerant stance toward his antagonists, explaining that it is a tolerance which he has built up over the years and which he recommends to others to emulate,

. . . for it is the accumulated years and experience that have taught me, as well as the results of rational thinking, so that I am very forgiving in all my doings.

Understandingly, he remarks to his youthful disciple, who is too young to have amassed much experience, "But, for my son, it is beyond his strength and ability to restrain himself in the face of these insults."¹⁴

Further in this communication, Maimonides tells the student—who seemingly already knew his teacher thoroughly—of the revolution that occurred within his being at a youthful age. He writes:

Let me describe to you some of my traits even though you are already acquainted with them. . . . Know that I try to do everything with humility, even when this is likely to do me a great deal of harm. . . . As to the anger and distress that were caused you, my son, —your age is to blame. When I was your age, and even older than you are now, I was given to far greater fits of anger and distress, and I used my tongue and my pen as I pleased in order to take my revenge on great, powerful men when they chose to differ with me. You have no doubt heard what transpired between me and the tenant Segalmassa . . . and between Abu Yusef and me, and many other similar controversies in which I brought joy to those who loved me and tears to those who opposed me, by means of my tongue and my pen; I used my tongue on those who were far away.¹⁵

At the time when they occurred, the polemical controversies that raged around the person of Maimonides and his works were extremely sharp and contradictory. The characteristic ambivalence of the Jews toward their own great men reached a remarkable peak in the case of the Rambam—the public burning of his books, on the one hand, and worshipful adulation on the other hand. Gradually, however, the controversies subsided, leaving his exalted image to tower in unmatched authority above all arguments and differences of opinion and Maimonides—the once hot-blooded, quick-tempered youth—is reverently remembered as the self-disciplined, tolerant, deeply humane sage of his mature years.

14. Maimonides, *Epistles*, Baneth edition, I, 1943, p. 50.

15. *Ibid.*, p. 90.

Maimonides as a Physician

ROGER E. HERST

TO CASUAL STUDENTS OF JEWISH HISTORY, MOSES ben Maimon is known as the first Jew to have attained international prominence as a physician. That he was also a great Talmudic codifier and distinguished philosopher are additional dimensions to his extremely varied achievements. The truth is that Maimonides excelled in Talmudic, philosophic and medical fields, while dabbling in politics, mathematics and astronomy. Yet with all of his manifold talents he was not a compartmentalized or fragmented individual. Each of his intellectual pursuits served a special and practical purpose in his life, and each he managed to rationalize within the larger perspective of his philosophic thinking.

It is very possible that Maimonides might never have practiced medicine had it not been for the untimely death of his younger brother, David, who, in 1166 or 1167, was drowned in the Indian Ocean during a commercial venture in the service of the family jewelry trade. His demise, as well as the bereavement it caused, forced Moses into a new style of living. The loss of the family capital, which apparently perished with David, meant that the elder brother, then living in Alexandria or Fustat (ancient Cairo), had to find a new means of livelihood.¹ He felt it improper to finance himself through his rabbinic scholarship, and, therefore, began practicing medicine on a part-time basis in order to subsidize his studies.

As Maimonides broadened his interests he attempted to integrate the disciplines of Torah, medicine and philosophy into a unitary intellectual system. He had begun studying Torah at an early age, progressed to medicine, and ended his life in the pursuit of philosophic understanding. Yet, as he expanded his knowledge, Maimonides never abandoned what went before. On the contrary, he continued to inquire into all three fields simultaneously, using his extensive knowledge in one field to fortify and enlarge that of the others. He writes:

Although from my boyhood the Torah was betrothed to me, and continues to hold my heart as the wife of my youth, in whose love I find a constant delight, strange women whom I first took into my home as her handmaids have become rivals, and absorb a portion of my time.²

1. Fred Gladstone Bratton, *Maimonides, Medieval Modernist* (Boston: Beacon Press, 1967), p. 40.

2. *Ibid.*, p. 69.

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Maimonides does not tell us specifically where or when he learned the medicine which he was later to practice. Most probably, his study was undertaken seriously during his family's exile in Fez, Morocco (*circa* 1158–1165) and continued with increasing intensity throughout the remainder of his life (d. 1204). His frequent references to medical works from the *Maghrib*, and infrequent allusions to Spanish physicians lead one to believe that his serious medical education was not begun until after his twenty-third birthday.³ This biographical datum is confirmed by a question which has long intrigued historians. If it is true that the Maimon family originally fled from Spain in order to escape the fanatical, unitarian Almohade Muslims, why did they not take exile in Christian Castile where sanctuary was offered wealthy Jews? Indeed, why did the family finally settle in Fez, the very capital of the tyrannical Almohade empire?

The answer to these queries is probably that, at the outset, the intolerance of the Almohades for non-Muslims was not extreme. True, they demanded of non-Muslims either conversion or banishment. But once a Jew had converted to Islam there was no further inquisition to evaluate the genuineness of his belief. In effect, this meant that, outwardly, Jews could convert to Islam (which Maimonides accepted as a viable option for persecuted Jews) and still maintain an internal responsiveness toward Judaism.⁴ For Maimonides, Christianity, unlike the monotheism of Islam, was akin to pagan polytheism, and, therefore, he could not condone apostasy to the Church under any conditions. There is considerable debate whether the Maimon family actually converted to Islam (*Anusim, force majeure*) during their residency in Fez, but such conversion would have explained, in part, Maimonides' medical studies. Under the circumstances, it would have been difficult for him openly to pursue his rabbinic scholarship. In any case, it is certain that the Maimon family took advantage of the commercial possibilities afforded in Fez, they became wealthy, and Moses learned medicine.

He no doubt learned from several distinguished physicians there, among whom were Abu Bkr Muhammad ibn Zuhr, son of the celebrated court physician, Abu Marwan ibn Zuhr, and Abu Yusuf, son of a Jewish doctor and poet, Ibn al-Mu'allim.⁵ During this period it is certain that Maimonides acquainted himself with the classic writings of Hippocrates and Galen, by means of Arabic translations from the original Greek. In addition, he must have learned from the writings of Muhammad ibn Zakariyya ar-Razi (Rhazes) and Ibn Sina (Avicenna), the Per-

3. Max Meyerhof, "Medical Works of Maimonides," *Essays on Maimonides*, ed. Salo Baron (N.Y.: AMS Press, 1966), p. 266.

4. See *Ma'amar Kiddush ha-Shem* or *Iggeret ha-Shemad*, "The Responsa of Moses Maimonides," ed. Lichtenberg (1859).

5. Meyerhof, *op. cit.*, p. 267.

sian Aristotlean who practiced medicine and who, in many ways, must have served as a model for Maimonides himself.

Upon his arrival in Egypt, Maimonides did not achieve immediate recognition as a physician, but, rather, built his practice and reputation slowly. All the while he continued his Talmudic and philosophic studies. It was not unusual for a 12th century man to combine several fields of intellectual endeavor, for many men of letters provided their income by doubling as medical practitioners. Indeed, the standards and qualifications for medical practice in the Muslim world were not so rigorous as to preclude extensive side-interests. Avicenna (980–1037), Abraham ibn Ezra (1092–1167), Averroes (1126–1198) and Rabbi Nathaniel (a Jewish physician in the employ of Saladin, both in Cairo and later in Syria) all served as models for Maimonides, for each attained recognition in scholarship while practicing the medical art.

Soon after the danger of a Crusader incursion into Egypt abated (November, 1168), Maimonides became associated with the Egyptian Court, before the last Fatimid Caliph was overthrown. In 1171, Caliph Al-Adid was deposed by his Syrian lieutenant, Salah ad-Din (Saladin the Great). With the change in administrations, the newly appointed Vizier and Supreme Judge, Abd ar-Rahim ibn Ali al-Baysani, commissioned Maimonides to work in the Citadel at an annual salary.⁶ Later in life, he became chief physician to Saladin's eldest son and successor, Alfadel Nur ad-Din Ali, who reigned as Sultan for only two years (1198–1200).

Apparently the work in the Cairo Citadel had two drawbacks. First, it was very taxing on Maimonides' time. Second, the demands of the aristocracy for medical attention made it almost impossible for Maimonides to devote as much time as he felt he should in serving the common people.⁷ But despite the difficulties, Maimonides cherished his profession and managed to devote part of his time to Talmudic and philosophic writing. It is noteworthy that he maintained a keen interest in both the science and the practice of medicine, and wrote numerous summaries and classifications of medical prescriptions and treatments. Today, he is considered to have been less innovative and brilliant in his medical writing than in his Talmudic and philosophic thought, and

6. Writings of Ibn al-Qifti, from Meyerhof, *op. cit.*, p. 269.

See also: Alexander Marx, *Moses Maimonides* (N.Y.: Octocentennial Committee, 1935) and J.Q.R. XXV (1935), pp. 371–428.

In a letter to Joseph ben Yehuda (ibn Aknin), 1190, Maimonides complains that the medical work in the Citadel is too demanding and that the compensation is too little for the work done.

7. See: Letter to Samuel ibn Tibbon in France, 1198: "... my duties to the Sultan are heavy. I must visit him early in the morning; if he feels weak or any of his children or the inmates of his harem are ill, I cannot leave Cairo but have to spend the greater part of the day in the Palace. Also, if any of the officials falls ill, I have to attend him, and thus, spend the whole day there." (Translation by Alexander Marx.)

what is extant from his medical works are largely compilations of Greek treatises, with special attention given to methods of preventing physical ailments, rather than to the techniques for curing them.

From statements which Maimonides made in the Introduction to the commentary on the tractate, *Avot*, found in his larger *Commentary on the Mishnah* (written between 1158–1165), we learn that originally he believed that the physician and the sage (moral philosopher) worked in similar but parallel disciplines. The former attended to the healing of the body and the prevention of illness, while the latter attended to the healing of the soul and the prevention of its corruption. Though the objectives of the physician and the sage differed, their *modus operandi* did not.

Therefore, just as the physician, who endeavors to cure the human body, must have a perfect knowledge of it in its entirety and its individual parts, just as he must know what causes sickness that it may be avoided, and must also be acquainted with the means by which a patient may be cured, so, likewise, he who tries to cure the soul, wishing to improve the moral qualities, must have a knowledge of the soul in its totality and its parts, must know how to prevent it from becoming diseased, and how to maintain its health.⁸

When Maimonides took up residence in Egypt and began the daily practice of medicine, his attitude toward the relation between physical and mental health shifted slightly. Whereas he had once believed that the health of the soul was independent of the health of the body, he later affirmed that physical health was actually antecedent to, and requisite for, the health of the mind. Physical health was a necessary, but not sufficient, condition for the achievement of correct ideas! In nobility, the welfare of the soul (*i.e.* the obtaining of correct ideas) far surpassed that of the welfare of the body. Nevertheless, no man could hope to achieve such perfection without first taking care of his body's needs. Using Hellenistic philosophy as his touchstone, Maimonides wrote, in the *Guide of the Perplexed*:

The Law as a whole aims at two things: the welfare of the soul and the welfare of the body... As for the welfare of the body, it comes about by the improvement of their ways of living one with another. This is achieved through two things. One of them is the abolition of their wronging each other. This is tantamount to every individual among the people not being permitted to act according to his will and up to the limits of his power, but being forced to do that which is useful to the whole. The second thing consists in the acquisition by every human individual of moral qualities that are useful for life in society so that the affairs of the city may be ordered. *Know that as between these two aims, one is indubitably greater in nobility, namely, the welfare of the soul—*

8. Moses Maimonides, *Eight Chapters*, ed. Joseph Gorfinkle. (N.Y.: Columbia University Press, 1912), p. 38. Cf. Aristotle, *Nicomachean Ethics*, Book I, Ch. 12; Philo Judaeus, *Treatise to Prove that Everyman who is Virtuous is also Free*. I, 2.

*I mean the procuring of correct opinions—while the second aim—I mean the welfare of the body—is prior in nature and time. (Italics mine).*⁹

Maimonides continues to expatiate on the need to keep the body in good health. The first perfection (that of the body, in contrast to that of the soul) is obtained by providing the body with the sustenance it requires. "These are his food and all the other things needed for the governance of his body, such as shelter, bathing, and so forth."¹⁰ It is not surprising, therefore, that Maimonides, the scholar, would have wanted to spend part of his valuable time attending patients, lobbying for political causes, and acting as the Exilarch of the Jewish community in Egypt.

For a man cannot represent to himself an intelligible [idea] even when taught to understand it, and all the more cannot become aware of it of his own accord, if he is in pain or is very hungry or is thirsty or is hot or is cold. But once the first perfection has been achieved it is possible to achieve the ultimate, which is indubitably more noble and is the only cause of permanent preservation.¹¹

For Maimonides, the pursuit of correct ideas was contingent upon the physical health of the individual, *sine qua non* the perfection of the soul could not practically be achieved. One might have thought that he would have advocated a mild form of asceticism or privation as a means of conditioning the human mind. As a matter of fact, he did advise the need to restrain the natural inclinations of the body. But neither in his medical practice nor in his medical writings do we see where he prescribed fanatical asceticism or privational remedies to his patients. On the contrary, both the physician and metaphysician in Maimonides were driven continually back to Aristotle's Golden Mean as a proper guide by which to measure the amount of indulgence, or lack of it, which an individual ought to affect. For Maimonides, the body, as well as the virtues which attend it, are governed by the law of moderation. He specifically mentions that sometimes extraordinary individuals, such as great Sages and brilliant physicians of Court, utilized extreme measures to achieve their ends, but their motives are not to be misunderstood by ignorant men. To duplicate their action is to injure oneself.¹² The truth, according to the Torah, is that no privational remedies are prescribed. The Law does not ask of a man that he indulge in self-torture, flight from society, highly restrictive diet, or sexual abstinence.

On the contrary, it aims at man's following the path of moderation, in accordance with the dictates of nature, eating, drinking, enjoying legitimate sexual intercourse, all in moderation, and living among people in

9. Moses Maimonides, *The Guide of the Perplexed*, Translated by Shlomo Pines (Chicago: The University of Chicago Press, 1963), Book III, Ch. 27, p. 510.

10. *Ibid.* Book III, Ch. 27, p. 511.

11. *Ibid.*

12. Maimonides, *The Eight Chapters*, pp. 62–3.

honesty and uprightness, but not dwelling in the wilderness or in the mountains, or clothing oneself in garments of hair and wool, or afflicting the body.¹³

Maimonides believed so strongly in the moderate enjoyment of the physical indulgences that he boldly confirmed the prescription of a colleague who treated Sultan Alfadel just before his demise. In contradiction to the precepts of Islam, Maimonides agreed that he required portions of wine, laxative remedies (Rhubarb), baths, exercise and a vegetable diet with a high content of fruits. Further, he advised for the Sultan's melancholia light meals, soft music, sleep and a regimen of baths, exercise, and sexual intercourse. Being prone to making fine distinctions, Maimonides added that even this prescription must be varied, according to the season of the year!¹⁴

In *The Eight Chapters* (Introduction to *Avot*) and his various medical treatises, one notices Maimonides' proclivity for treating both physical and moral conditions as analogous. What might be said truthfully about moderation with respect to the human virtues was equally true with respect to physical conditions of the body. The remedy for an undesired moral or physical condition requires the application of a balancing and opposite physical or moral palliative.

So, just as when the equilibrium of the physical health is disturbed, and we note which way it is tending in order to force it to go exactly the opposite direction until it shall return to its proper condition, and, just as when the proper adjustment is reached, we cease this operation, and have recourse to that which will maintain the proper balance, in exactly the same way must we adjust the moral equilibrium.¹⁵

While Maimonides chastises those who seek the path to God through physical denial and abstinence, he is fully aware of the delicate balance between the physical (corporeal) and spiritual (ideal) world. Underlying his metaphysical views is the notion that matter (corporeality) is the corrupting influence in the world, and form (idea), that which redeems free floating matter. One is not surprised, therefore, that as an older man, Maimonides writes, in the *Guide*, how physical lusts and licentiousness (excess) in the multitude (undisciplined populace) consist in eating, drinking and sexual intercourse.

This is what destroys man's last perfection [i.e. the soul] and what harms him also in his first perfection [i.e. the body].¹⁶

Finally, Maimonides, the physician, speaks. True, the highest objective of the individual is to seek correct ideas, to realize the forms of

13. *Ibid.*, p. 63.

14. Meyerhof, *op. cit.*, pp. 283-4. From "Discourse on the Explanation of Fits" (*Maqala fi Bayan al A'rad*).

14. Maimonides, *The Eight Chapters*, p. 58. Cf. Aristotle: *Nicomachean Ethics*, Book II, Ch. 2f.

16. Maimonides, *The Guide*, Book III, Ch. 33, p. 532.

Nature, and to convert his infinite intellectual potential into actuality. But how can this be achieved without man first learning to master his physical nature and to create the responsive conditions in his physical life which will provide him the freedom to speculate with his mind?

For when only the desires are followed, as is done by the ignorant, the longing for speculation is abolished, the body is corrupted and the man to whom this happens perishes before this is required by his natural term of life...¹⁷

It is clear that Maimonides, the sage and philosopher, strove to light the path for his followers to ascend toward God through enlightened and lucid ideas which were correct. To achieve this end a man would be required to discipline himself through laborious and tedious training. There exists no simple road toward intellectual salvation. But providing that a man is willing to train his mind, to practice the highest forms of moral behavior and to exercise his imagination, then, if there are no natural, physical impediments (such as ill health, poverty, adverse political or social conditions), he still has an opportunity to realize part of his sublime nature.¹⁸

Maimonides here justifies his occupation as a physician. In order to achieve his goals man cannot be cut off from life, either through over-indulgence of his passions or through poor care for his body. If, for Maimonides, salvation is open to man through an exercise of his mind, he must still stay alive to actualize this possibility. Moreover, there are physical impediments which prevent man from realizing his highest goals. Some of these impediments are beyond the powers of any man to alter or influence, but others are well within his power to affect. While, for Maimonides, Divine Providence watches over individuals from within the species of man, it does so in such a manner as to favor those individuals who help themselves!

... when any human individual has obtained, because of the disposition of his matter and his training, a greater portion of his overflow than others—if, that is to say, providence is, as I have mentioned, consequent upon the intellect. Accordingly, divine providence does not watch in an equal manner over all the individuals of the human species, but providence is graded as their human perfection is graded.¹⁹

With his versatility, Maimonides was very much a man for all seasons! If human salvation, *i.e.* the ability to attract Divine Providence, required perfecting the mind, then Maimonides was a teacher of correct ideas. But if achieving clear and correct ideas required a lifetime,

17. *Ibid.*

18. See chapter on Prophecy. *The Guide*, Book II, Ch. 32, p. 360f.

19. Maimonides, *The Guide*, Book III, Ch. 18, p. 475.

See also: Leonard Kravitz, "Maimonides and Job: Method of Moreh," *Hebrew Union College Annual*. (ol. XXXVIII, 1967), pp. 153f.

See also: Maimonides, *The Guide*, Book III, Ch. 17, p. 474.

so that full intellectual training might be pursued, and if Divine Providence works through a proper "disposition of matter" as well as "spirit," then Maimonides was a physician to the body!

For Moses Maimonides, illness and ignorance were the debilitating features of man's existence. Both barred the path to the ultimate perfection, in body as well as soul. The conquest of illness and ignorance was man's most noble activity and his only hope of redeeming himself.

A Maimonides Reader

Edited, with introductions
and notes, by
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HENRY L. FEINGOLD

WE ARE INFORMED THAT THE NEW LEFT HAS run out of steam and that radical youth, Jewish and otherwise, have turned their eyes inward, in a perhaps equally futile quest for happiness and fulfillment. There is a momentary calm before the next generation of radicals begins its performance, a good moment to search anew for the special sources of American Jewish radicalism.

To do so one turns naturally to the life of Isaac Deutscher, whose journey from the hasidic rabbinate to membership in the Polish Communist Party and, ultimately, to a humanistic version of Trotskyism made him, in his short life, a kind of paradigm of the European Jewish radical. In an effort to make some sense out of his political and personal development, Deutscher paused from his scholarly labor to take stock before he died. The result was a fascinating small volume in which he returned to examine the Judaism he had abandoned in his youth.¹ Not unexpectedly, it was the radical Jew like himself who drew his attention. Deutscher thought that he detected certain commonalities in their thinking and in their recent origins. For Deutscher, the alienated radical Jew was such a common phenomenon in Jewish history that he felt compelled to give him a special label, the non-Jewish Jew. That kind of Jew had always been part of Jewish history, but his most recent development was attributable to the impact of secularization after the emancipation which removed the Jew from his own parochial arena in the eastern shtetl but left him in limbo, since access to the larger society, especially in the East, was not automatically forthcoming. Instead, the newly secularized Jew lived on the periphery of several overlapping cultures but belonged to none. It was a perfect, if unhappy, vantage from which to make value-free judgments on European society. That accounted for the special vision, the brilliant analytical talent, which so many Jewish radical intellectuals possessed.

But if that peripheral position offered intellectual advantages it was, from a social point of view, uncomfortable. Even radical intellectuals want, above all else, to belong to, and experience, community. (That is perhaps the reason why alienated radicals seem to be more prone than others to organize communes.) Deutscher speculated that radical Jews were drawn to anarchism, socialism, communism and even bourge-

1. Isaac Deutscher, ed. *The Non-Jewish Jew: And Other Essays* (New York: Oxford University Press, 1968).

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ois democracy in its “revolutionary” stage because it offered an honorable way of dispensing with the confining, parochial, excessive demands of halakhic Judaism. Unable to draw sustenance from a Judaism from which they had become alienated, the radical Jews sought to play life’s game in a more worldly arena. They came to believe that they were, after all, men first and Jews second, and they were convinced that the same logic applied to Russians, Poles, Germans, *et al.* For Jews, radicalism became a conduit to the larger world; they fully expected that other groups would use the same path to find their way out of tribal parochial loyalties. Their radicalism consisted of calling upon men to abandon those loyalties and to join the great human family. To encourage the “masses” to do so, Jewish radicals put forward ideology “X” which usually featured a universalist vision of the better world in the offing.

Elements of Deutscher’s scenario are detectable on the American scene. It has been pointed out, for example, that the New Left acted, to some extent, as a conduit for radical Jews to meet the radical elitist Protestant radicals who organized the movement in the early sixties.² A purist form of non-Marxist radicalism has been a fixture on the American intellectual scene since before the abolitionist crusade. Ostensibly, the movement offered young Jews a means of resolving status anxiety associated with their marginality while, at the same time, furnishing the ready-made elitist ambiance which, paradoxically, advocates of egalitarianism require to function. For the young, radical Jew the radical experience served as a kind of *rite de passage* in his movement from a peripheral, alienated position to the center of the action. As with his European counterpart, the involvement of the American Jewish radical with the revolutionary left has an ulterior motive. It offers an ideological cover to conceal the “self negating significance of the act of assimilation.”

But it is precisely the neatness of this scenario which leads one to suspect that Deutscher’s theory of the non-Jewish Jew and its numerous sociological variations does not fit the American scene. Something is amiss, especially in the relative positions of the two Jewries. By and large, the position of American Jewry and its access to the larger society has been far superior to that of pre-war European Jewry. The American-Jewish success story, while sometimes exaggerated, is, nevertheless, truly amazing. Under such circumstances, can one postulate that it is the young Jews’ exclusion from society which turns him to radicalism or even to the alienated vision? It rather seems that American society, with the exception of a few recalcitrant institutions, is all too anxious to absorb him and has, in fact, already done so to a large extent.

Nor can we assume that the young Jewish radical in America suffers

2. Tom Milstein, “The New Left: Areas of Jewish Concern,” in *The New Left and the Jews*, ed. Mordecai Chertoff, (N. Y.: Pittman, 1971).

from his Jewishness. In the last decade it has become rather fashionable to be Jewish. The in-marriage rate is on the increase and the Jewish novel, or at least the novel about Jews, seems to enjoy exceptional success. But even if there were no indices of a rise in the popularity of Jews, the theory that radicals need to run away from their Jewishness poses some difficulty. What Jewishness? The new Jewish radicals are the product of a society which first substituted ethnicity for religion and then eroded the ethnicity as well. There is precious little left to be embarrassed or confined by. There is, among Jewish radicals, no great crisis of conscience since they bore no great religious burden at the outset of their ideological development. In short, they are not "new Marranos," as some observers insist on calling them, because they were never old Jews. Nor is the frequently heard epithet of "Jewish self-haters" any more pertinent. Few radicals have had the kind of emotional relationship with Judaism to warrant generating a feeling of hate at its rejection. Usually, they are simply indifferent to Judaism, and their anti-Zionism, such as it is, grows out of the ideology rather than from what preceded it. They do not follow the odyssey of Isaac Deutscher but, rather, a peculiarly American path towards radicalism.

Deutscher was not alone in speculating about the sources of Jewish political behavior. Sigmund Freud and Leon Blum, among others, thought that Jewish radical proclivities stemmed from an overly developed critical faculty which allowed Jews to see better what those in the heart of the society could not afford to see. When that special vision was combined with the eschatological aspirations inherent in Judaism, there resulted an irresistible urge among certain Jews to improve the world. Such was the logic of Jewish revolutionary radicalism and, to some extent, of innovative liberalism as well. But again we are faced, on the contemporary American scene, with two differences which make this scenario unlikely. To the extent that American Jews are beckoned to meld with the mass of America rather than keep themselves apart, they have no more reason to be alienated than other hyphenate groups which do not produce so many radicals. And to the extent that American Jews are alienated, or at least unfamiliar, with the on-going tradition of Judaism, it can hardly be claimed that their radicals are motivated by its prophetic-messianic vision. Such theories explain the posture of Jewish radicals (rather than radical Jews) like Arthur Waskow and the handful of young people who are drawn to the Havurot and the Jewish Liberation Project, or to the extreme left of the Zionist political spectrum which idealizes Ber Borochov.

Slowly one discovers that the theoretical formulations which explain the radicalism of certain European Jews are lacking in substance when it comes to American Jewish radicalism. "America is different," and its Jewry and the Jewish radicalism to which it gives rise seems to

be no less so. Primarily, the inadequacy stems from the different historical paths followed by the two Jewries. The logic of the emancipation transaction has gone much further in America which is *the* secular state *par excellence*. It is in the relatively complete access to America, rather than in the tension which was created by its incompleteness, that we must seek the source of American Jewish radicalism.

One ought to begin with the logical position that American Jewish radicals are, first and foremost, Americans, which means that they have been conditioned by the American radical style and are preoccupied with American problems. That style is characterized by apocalyptic enthusiasm rather than by the need to find systemic explanation through "scientific" Marxism. When one thinks of American radicalism one thinks of the Millerites of the Colonial period, or the abolitionist crusade or, in another sense, the Populist movement of the 1890s. In one sense, all these are phases in the development of the American Protestant religious conscience, a far cry from the political-economy of European radical thinking. This does not mean that the current crop of Jewish radicals are merely following what is basically Christian apocalypticism. Far from it. We shall see that Jewish radicals bring a new ingredient to American radicalism. Nevertheless, one is struck by the fact that in the nineteenth century the Sefardic and German Jews were barely represented in the radical movements of the day. For obvious reasons, they could not make common cause with Populists who conjured up Shylocks as the source of their problem and spoke of crucifixions on crosses of gold. But they were not very friendly to the abolitionists either.

Isaac Mayer Wise suspected these sons of the New England Protestant ministers of being anti-Semitic. In turn, the abolitionist Puritan Hebrewphile spirit was keenly disappointed at the muted social conscience displayed by the descendants of the "people of the book" in much the same way that our suspicion is aroused by the contemporary New Left. "The object of so much mean prejudice and unrighteous oppression as the Jews have been for ages," reads the annual report of the American and Foreign Anti-Slavery Society which met in New York in 1853, "surely they, it would seem, more than any other denomination, ought to be enemies of *caste* and friends of *Universal Freedom*." There were, of course, many reasons why Jews did not assume the abolitionist position, not the least of which was that they were German, rather than eastern, Jews, and 1853 was too early a date for the newly arrived immigrants to adopt a high risk position even had they believed in the cause. Even so, as the "people of the book," Jews were, willy-nilly, drawn into the debate over slavery. It would not be until the eastern Jews arrived, with a distinct radical tradition of their own, that American Jewish radicalism blossomed forth.

That wave of immigration contained not only a great Jewish folk spirit which persisted even after the religious mainspring had lost some of its strength, but, also, a tradition of revolutionary radicalism honed sharp by the repressive Tsarist regime. Many of these radicals found an outlet for their energies in building, and then managing, the Jewish labor movement, or in the fierce internecine quarrels within the Jewish radical community. But there was a group who mechanically, one might say almost innocently, transferred their hostility from the Tsarist regime to the government of the new country. Capitalism was capitalism for the revolutionary idealists and they had become more comfortable in automatically being "agin" the government, just as others were automatically for it. The great majority of these eastern Jewish radicals reined in their zeal for revolution. For most, the act of immigration and transplantation proved to be revolution enough for one lifetime. As Abraham Cahan discovered, they wanted nothing so much as to become Americanized. It was a small fraction of the eastern immigration who were imbued with radical political idealism and, of these, an even more minute fraction held fast to their revolutionary radicalism in the new country. It was their descendants who fed into the radical stream of the thirties, to be joined there by thousands of others whose radicalism was spurred by the apparent failure of the system during those years of the locust. Although there exists a considerable difference in radical style and content, the Jewish "old" left is still recognizable in the "new." The radical grandchildren act out a role which was created in the heated late night debates in the cafeterias of East Broadway at the turn of the century and, before that, among the newly minted "free thinkers" of the towns and *shtetlakh* of the Pale. Some observers have called this the "red diaper" phenomenon, which is nothing more than a slick way of noting what every one already knows, that one radical generation gives birth to another, just as Republicanism passes itself down through a generational line.

One suspects that, from the beginning, the radicalism of the eastern Jews was as much an intellectual exercise as it was based on what Marxists called "objective conditions." True, a sizeable working class had developed among them, so that in 1897 Jews were among the first of the ethnic groups in Eastern Europe to organize a labor federation, the Bund. But, somehow, the social and economic center of Jewish life remained strongly petit-bourgeois. Even Jewish workers were, more often than not, craftsmen and artisans, rather than merely factory hands. They were a far cry from the alienated proletariat envisaged by Marx. Not until they arrived in the New World and experienced cultural alienation, a precipitous decline in status for many, and the sweating system, did they become the kind of raw material which Marxists envisaged as necessary to build the new society. It was, then, an American

forge on which eastern Jewry's radical proclivities were fashioned. Thus, when the first generation of immigrants in America sometimes idealized the toiler and based an ideology on his emancipation, they were celebrating themselves, for, temporarily at least, they had become workers in the New World. They were part of the group whose salvation they sought. Theirs was, partly, a politics of *ressentiment*, since they were slated by a cruel fate to play the role of a sacrifice generation, frequently suffering an actual decline in status and living with a foot in either world. Their politics followed logically from their circumstances.

But none of these conditions apply to the third generation. Acculturation problems are, for the most part, solved, they are far removed from the Russian tradition of radicalism, and their economic status gives them precious little to be resentful about. Then why American Jewish radicalism today? For the answer we must look at the malaise of the Jewish middle class in America, for what we are seeing is the radicalism of a "lumpen" bourgeoisie. In fact, the Jewish radicals are only incidentally political radicals in the way that their grandfathers were. The heart of their critique is not to be found in the fancy dialectics which so won the hearts of the first generation. The young radicals have not read Marx; all they really know is that, for them, the "system" doesn't work. They are repelled by the strident cult of success hammered on incessantly by their ambitious parents. For some, it is clear that Judaism means simply "making it," becoming a doctor or a lawyer. It is the ethos used by the parents to scratch their way out of the ghetto and, since for them it worked, they hang on to it tenaciously and expect their children to adhere to it as well. The parents seem oblivious of the fact that it is precisely because they have "made it," at least in a small way, in this society, that the striving for success ethos is an obsolete life-strategy for their children. Here is a generation that takes the wall-to-wall standard of living for granted. Others are unwilling to pay the price which their parents paid. There is a growing group of young Jews for whom talk of becoming a doctor or a lawyer arouses only derisive laughter. (I think this group has grown less conspicuous and, certainly, less certain of its course since the economic recession began.)

Like his gentile counterpart, the new Jewish radical is frequently a "drop out" from the keen competition for place which goes on behind the facade of effortless grace that characterizes much of upper middle class life in America. The discovery of the beauties of commune living are, in his mind, juxtaposed with the ugliness of the "rat race." Beneath the layers of idealistic rhetoric generated to "explain" the new life style, lies a new generation of downwardly mobile youth, some voluntarily so and others who simply do not possess the mental and emotional equipment to strive for place. Jews, so long conditioned to expect achievement

from their youth, find this development difficult to fathom. Yet it was predictable. Jewish youth is frequently spared the struggle for achievement by newly arrived parents who take their ability to protect their children from the agonies which they went through as the surest sign of their own status. Moreover, such protected youngsters are let loose on the community at the historical juncture when opportunities for achievement without a formal education, such as in small business, are constricted by the growing incorporateness of the economy. Even if they abandon their disdain for the ethos of the small businessman there would be little opportunity for them in this area. For the strictures and discipline of academic life they have even less taste. Their answer is to drop out or to turn the university itself into a commune in which liberal arts courses become endless exercises in bad group therapy.

One could postulate a less benevolent view of what is happening between the Jewish generations in America. Voluntarily or coerced, we see a new generation of American Jews, many of whom have, somehow, become declassed, affecting the "lumpen bourgeois" life style. That is, we can see youngsters who seem poverty stricken but carry around their necks the most expensive cameras or who spend small fortunes on other "arty" hobbies such as film making. The new radicalism emanates, in part, from their betwixt-and-between position. It has ever been the declassed who have furnished the human material for revolution and for milder forms of social disturbance.

On the other hand, Kenneth Kensington's more benevolent postulations on radical youth seem especially appropriate for Jewish radicals. Rather than seeing youthful radicalism as a function of their alienation, Kensington finds an almost patrician largesse in their reformist activities. They are the best we have and, rather than being at generational odds with their parents, they actually echo the principles of service and justice which they were taught to expect in the wealthy homes from which they stem. They become violent when things like the Viet Nam war and the unresolved race problem at home make it too difficult for them to create an identity between the just world which, as they have been taught, is man's due, and the world as it actually is. It is in this yawning gap that one must seek the cause of the militancy of the youthful radical activists, Jewish and otherwise.

Now, while such theories have a general interest, they tell us little regarding the specific reasons for the continuing strong Jewish radical impulse. If, indeed, Jewish radicals are simply like other middle class radicals (only more so!) then why does the radical impulse continue to be so strong among Jews? One hears precious little about Italian-American radicals or Polish-American or even Black radicals from the middle class. Clearly, something else is involved, as far as Jews are concerned. Some of these factors have already been examined. Two

more, the anomalous role of power, and the sustained effects of the Holocaust in the American Jewish community, deserve special attention.

The new Jewish radical experiences some difficulty in coming to terms with the role of power in human affairs. His very postulates—romantic love, commune living, a new world free of racism and exploitation—are ones in which power does not have a role. It is this factor which gives the new radicalism its romantic glow.

We have seen that the Jewish radical most often stems from a middle class family. Sociologists would probably tie him more specifically with an upper middle class background. In any case, we have seen that shielding children from the play of power in the real world is what distinguishes such families. (My impression is that the protective impulse is somewhat stronger among Jewish parents of this class.) When the potential young radical is released upon the world, usually when he leaves for college, he is largely innocent of the quiet power transactions which happen in the real world. Few radicals possess the "savvy" of the inner city youngsters whose survival frequently depends on a realistic understanding of the play of power and the manipulation of its possessors. The experience of white, frequently Jewish, civil rights enthusiasts during the period of the freedom rides was often devastating. The style and the social rules adhered to by black activists seemed exploitative, especially vis-à-vis female white activists. Nothing in their background had prepared them for this kind of reality. A similar eye-opening experience occurred at Columbia University in 1968. The cry of "police brutality" then was more than simply an old stand-by to generate public favor. The radicals were truly astounded when police fury was unleashed. They thought that the rules of the game would be maintained. The radicals talked incessantly about the coming "bust," they yelled "off the pigs," but these were merely words. When the "bust" did, in fact, come, no one was more surprised at the painful sting of the billy club and the gratuitous violence of official power. Only their language was brutalized; their middle class souls were still civilized. Clothing from the Army-Navy store, an occasional "rip-off" at the Columbia book store, the mouthing of obscenities, these did not make them into "menchildren in the promised land."

If they are honest and intelligent, and many Jewish radicals are, they are ultimately forced to confront the fact that they have been presented with an idealized image of the world. Then, frequently, there begins a search for sham and hypocrisy which takes them to the cultural surrogates—parents, teachers, spiritual leaders—who, they learn, usually possess the security of wealth, the greatest source of power in our society. It is after that discovery is made that the Jewish radicals denounce the protective suburban cocoon in which they first learned the humanitarian principles which they espouse with such fervor, and they

sense their own hypocrisy in denouncing poverty from the vantage of Larchmont and Shaker Heights.

For Jewish radicals the denigration of the role of power in human affairs has yet another source. It is reinforced by the virtual absence of a power factor in the vision of the liberal *Rechtstaat* to which most Jews subscribe. On a practical level, Jews have had little opportunity to fulfill themselves through the exercise of power. They tend to remain bereft of normal political experience. This is not to say that they are not represented on school boards, municipal councils and state and federal elected office. They are probably present on such governing bodies in disproportionate numbers. But Jewish office holders are rarely called upon to recognize and protect a specifically Jewish interest. They serve as Americans who happen to be Jewish. Moreover, there is some reason to think that in the unofficial and new power centers which are not political, the American Jew is not well represented. One finds few Jews on the executive boards of large corporations. The American Jew, for example, is now ensconced in the university in disproportionate numbers, but he continues to be under-represented among the college presidents, provosts, deans and members of the boards of trustees who manage those institutions.

A good part of this under-representation is caused by the continued reluctance to have Jews participate in these high echelon decision-making positions. But it is not the only factor. Jews in America have a tradition of shying away from the exercise of political power. At the turn of the century, the newly arrived eastern Jew was frequently repelled by the corrupt trade-offs which politicians, especially the Irish ones, made with each other. The new American Jew was not necessarily less of a political animal than the Irish American, but his political style made him reluctant to recognize a specific Jewish interest. He could not conceive of politics as a means of self- or group-aggrandizement.

On the face of it, one might simply attribute that reluctance to the familiar streak of moralism in the Jewish group personality. But a closer look points to the fact that acculturation and the continued drawing power of universalism, especially as it is upheld by Jewish radicals, tends to distort the Jewish group image. Those who have been acculturated tend to view themselves as purely American and consider the support of a Jewish interest as somehow unpatriotic. The universalistic-minded tend to view the advocacy of a Jewish interest as a tribalistic throwback. We have seen that their view actually calls for a dissolution of Jewish ties, providing that other groups dissolve theirs. In practice, this leads to catastrophe, since only Jewish radicals actually proceed to deny their own constituency, while other tribes remain largely intact. In the Soviet Union today the benefits of Socialism, to which

so many Jewish radicals gave their all, is proffered to every group, Ukrainians, White Russians and even Mongols, but not to Jews.

On the American scene, the reversion to ethnicity, or at least to some kind of group consciousness, can no longer guarantee the bringing of power in its wake. (The Blacks, whose group solidarity is reinforced by color, may be an exception to this.) The much maligned "melting pot" seems to have worked to the degree that it has disarmed other ethnic groups. While ethnicity itself is experiencing a momentary last-gasp renewal, it seems destined to be a temporary surge. The real, hyphenate American is caught in the middle. He is the Irish-American who does not understand what Bernadette Devlin is getting excited about, the Italian-American who does not feel slandered at references to the Mafia and the Jew who was not stirred by the June war.

For Jews, the development of an ethnic power base is even more remote because of their rapid social and economic mobility. It has tended to make Jewish community outlines and interests more vague by grinding down Jewish religious and ethnic particularity and replacing it with an undifferentiated middle class interest. That development has given the universalistic tendencies of Jewish radicalism more play than ever before. It is the reason why it is so easy for a child of the established middle class to resonate radical universalism. If the Jewish interest has been melded into a generalized middle class interest, then it is no aberration to give priority to every other group's liberation. The Ocean Hill-Brownsville episode serves as a good example. It was Jewish teachers who replaced the fired UFT teachers. They did not recognize a specific Jewish interest in maintaining the merit system. Jews had already been liberated, they reasoned. They had entered into the mainstream of American life. Blacks had not.

A few months later, many of the same Jewish teachers found themselves under pressure to quit. They were, after all, also white and Jewish; why should not the logic of the Black revolution apply to them?

A study in contrast can underline how anomalous is the American Jewish radicals' posture vis-à-vis power. The reception in Israel of the *Smol Israeli Hadaash* (Israeli New Left) was far cooler than among American Jews. Noam Chomsky, for example, has gained a respectable place among American Jewish radicals, but in Israel he is more likely to be considered a prime example of a certain kind of diaspora personality distinguished by a strong penchant for self-destruction. The difference is that Israeli Jews are accustomed to exercising power and assuming responsibility for their own interest and security. They cannot afford to hold the same universalistic assumptions because the experience of governing has taught them that in the real world, civiliza-

is not nearly so generous or so rational as ideologists assume. In short, they know about power.

The denigration of power among American Jewish radicals turns out to be part of the American political style. It can be found among non-Jewish radicals as well. The American *Rechtstaat* was based on the notion that power is malignant and ought to be controlled. The result of that liberal heritage has been the underpowering of government at all levels so that its malignant influence would not be exercised. Power was checked and balanced and made generally ineffective. Forgotten in the shuffle was the other side of the equation: government would be equally indisposed to do good. As problems became more complex, a way had to be found to get around these strictures so that power might be exercised for what was thought to be benevolent ends. Normal power politics had, perforce, to be concealed in idealistic rhetoric. Teddy Roosevelt dredged up a "mandate of civilization" to rationalize his administration's use of "police powers" in Latin America. We call for "free elections" in Viet Nam, as we did earlier in Poland, when what is really happening is that we have not reconciled ourselves to someone else's successful power play. We are compelled to conceal normal power considerations behind a veneer of high flown moralism. The American liberal and, even more, the American radical, are especially drawn to such moralistic rhetoric.

The American Jewish experience in secular politics, especially as it was practiced at the local level, tended to reinforce a distaste for the earthy realities of power as it related to governance. "I was pained by the way corrupt politicians were able to persuade our uneducated Jews to sell their votes," complained Abraham Cahan. "There were no elections in the country from which we had fled. The ballot box and all it represented was the sacred hope for which many socialist comrades had martyred their lives." Even more profound was the disappointment of the radical intellectuals when the Jewish masses elected men like "Silver Dollar Smith," a Jewish prototype of the barkeep politician. How could democratic politics be trusted if it brought such mediocre ignoble types to office? An aversion to partaking in local politics as it was practiced developed among certain Jewish opinion makers. Instead, Jews developed a mugwump-reformer type and participated actively in the reform campaign of Henry George for the mayoralty in 1886.

But such a high interest was the exception, rather than the rule. The turn-of-the-century Jewish radicals found that the establishment of the Jewish labor movement took up much of their energies, while the rank and file directed their primary efforts to making enough money to leap out of the ghetto. The Irish who ruled supreme in local politics were puzzled, even contemptuous, of Jewish political behavior. Here was a group who possessed all the earmarks of political power. All that

was required was political organization, a machine, to mobilize the growing number of Jewish voters. Yet the leaders seemed forever preoccupied with larger issues, like how society should be organized, so that the operational task of organizing was neglected. Jews were underrepresented in the number of district leaderships they held. Of course, the Irish adamantly resisted the Jewish penetration of Tammany. But, really, not much energy was required for this, since the maverick nature of the Jewish voter and the fragmentation of the Jewish voting bloc effectively weakened Jewish political power. "De Ate," the almost completely Jewish 8th Assembly district on the Lower East Side, was one of the most uncertain districts in the city at the turn of the century. There has never been a Jewish mayor in New York City, the most Jewish of the world's great cosmopolitan centers. It is, then, no mere accident that Jewish radicals know all too well what might be done in Viet Nam or the Middle East or elsewhere on the planet but eschew the undramatic task of grass roots organization to give themselves a constituency from which they might distill the power to implement a program. There is an American Jewish tradition for such priorities.

Finally, the Holocaust acts like a great divider between the radicalism of the vanished Jewish community of pre-war Europe and that of contemporary American Jewry. Like everything else in contemporary Jewish history, the Holocaust is the touchstone of the new radicalism as well. It serves to underline the serious malaise in the relationship of diaspora Judaism to power, and it apparently has a traumatic effect on Jewish youth as well as on all minority youth who consider themselves suppressed and powerless.

In the wake of the Holocaust, many Jews have become wary of advocating universal salvation. They cultivate their own gardens. But the nostalgia and the logic of a universalistic solution to the human condition continues to exercise its charms among Jewish radicals, even when the evidence clearly indicates that in nations like the Soviet Union, Poland and Czechoslovakia the nominal acceptance of the socialist system does not mean that its benefits will be extended to Jews who played a key role in conceiving and implementing it. The New Left, after all, also held the socialist camp in great contempt. The reason for the reluctance to abandon the universalist *weltanschauung* stems from the simple fact that, granted its initial premise and its unswerving optimism about human nature, all universalist ideas, by their nature, hold out solutions for all human ailments. Can one really argue with the premise that things would be better if we established heaven on earth? Before he died, Isaac Deutscher, in agonizing over the Holocaust, concluded that Jews should have advocated more, rather than less, universalism. He would rather have the six million than Judaism.

That is the ultimate logic of radical universalism. The only real security for Jews lies in their disappearance.

For radicals, the Holocaust is proof that racialism, tribalism, in a capitalist setting, is a murderous force. It leads to "aryan" Germans killing Jewish "bacillus." This idea is incorporated into their rhetoric even while the Holocaust itself is separated from the people who underwent its agonies. It applies to Biafra, to the Communist Indonesians, to Bengla-Desh and, of course, to the powerless minorities within our own country. A cut in the poverty program is viewed as another step in the planned genocide of American Blacks and Angela Davis is magically transformed into a Jewish housewife en route to Dachau.

Much of the talk is banal and demeans the specifically Jewish agony of the Holocaust. But one soon begins to sense that there is a certain logic in the New Left being the first group to generalize and to distill meaning from "our" Holocaust. How could it have been different? Certainly it would not come from the right. Gradually, one understands that the Holocaust belongs to western, as well as Jewish, history, just as the Jews who died in Auschwitz belonged to both communities. The image of the gassed, opened-mouthed mounds of corpses seen in the news reels at the close of the war traumatized not only Jews, but all suppressed minorities and, particularly, American Blacks who talk incessantly about the imminence of genocide. All self-conscious minority groups, whether in the East or West, instinctively realize that, at Auschwitz, Hitler devised, for seemingly insoluble minority problems, a solution which stands as a temptation to all national communities who feel themselves about to be torn apart by loss of internal cohesion.

Reading *The Greening of America*, one of the more eloquent counter-culture tracts, one realizes that the protest against corporate processing, alienation, dehumanization, depersonalization and the dozens of additional catch words devised to describe the torment of our time, is summed up in the world of Auschwitz. That world, in its combination of the most advanced technology and the most primitive racism, in its processing of masses of humanity for the production of so many units of death, presaged the conditions of life for many in the second half of the twentieth century. The relationship between the tattooed forearm and the computer punch card or social security number which we all carry with us is one of degree, not of kind. Those who have been processed through the multiversity or the personnel department of any large corporation understand that a little bit of dying occurs in all bureaucratic processing. So runs the radical critique, and there is just enough truth in it to make it particularly attractive to Jewish youth. In their hands the meaning of the Holocaust naturally transcends its Jewish confines.

If the idea of a Holocaust haunts Blacks, it has a positively devastat-

ing effect on young Jewish radicals. In describing the mental state of Jewish activists at Columbia in 1968, Robert Liebert, who served as an analyst while a member of the Columbia faculty, saw that "the Holocaust and genocide of European Jewry has left among Jewish youth deep psychological scars and a deep pool of anxiety."³ So the SDS, heavily infused with radical young Jews, talks naturally of "crushing the machines of war and fascism," both of which are undeniably related to the Holocaust. They are less aware of the horrendous particularity of that event than we would like. They talk of genocide against the "third world peoples." But they are not trying to steal the Holocaust experience away from the Jews. It is simply that, both from the view of their personal experience and from the universalism which they espouse, they are closer to the American world than they are to the Jewish. In that, the American-Jewish radical bears a strong resemblance to his pre-war European predecessor.

The American Jewish radicals takes their place in the long tradition of Jewish radicalism which can be traced back to before the days of Jesus. But they are different, too. They have been differentiated by the American experience and the impact of the times in which they live. In a world which produces catastrophe upon catastrophe, the simple optimism of their grandparents, the faith which permitted them to strive for success, is far more difficult to generate. In the last analysis, that is what the continued attraction of Jewish youth to radical solutions tells us.

3. Robert Liebert, *Radical and Militant Youth: A Psychoanalytic Inquiry* (New York: Praeger Publishers, 1971), p. 233.



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IN THE PURSUIT OF JUSTICE

Review-Essay by LEO PFEFFER*

Self-Incrimination in Jewish Law. By AARON KIRSCHENBAUM. The Burning Bush Press. New York, 1970. pp. xii + 212. \$6.95.

THE FIFTH AMENDMENT TO THE UNITED STATES constitution provides, in part, that "no person . . . shall be compelled in any criminal case to be a witness against himself." This privilege against compulsory self-incrimination was the subject of widespread public disfavor in the early fifties (the period which became known as the McCarthy Era) by reason of its frequent invocation by persons called to testify before legislative committees investigating domestic Communism, and the term "Fifth Amendment Communist" became one of opprobrium. It was assumed, and on the face of it, quite naturally, that if a witness were not a Communist he would say so rather than "take the Fifth."

So widespread was the assumption and so severe the assault that the Supreme Court, itself,¹ one of its most articulate members,² and the dean of the nation's most prestigious law school,³ all found it necessary to defend the constitutional privilege and challenge the assumption that invoking it was a tacit confession of guilt. Among the many articles written on the general subject was one by Rabbi Norman Lamm, an Orthodox rabbi then of Springfield, Massachusetts, but now in New York, entitled "The Fifth Amendment and its Equivalent in the Halakhah."⁴ The article was an implicit defense of the privilege, since it showed that the halakhic prohibition of self-incrimination was even broader than the Fifth Amendment.

1. *Quinn v. United States*, 349 U.S. 155 (1955).

2. William O. Douglas, *An Almanac of Liberty* (N.Y.: Doubleday and Co., 1954), pp. 236-239.

3. Erwin N. Griswold, *The Fifth Amendment Today* (Cambridge: Harvard University Press, 1955). Griswold was then dean of Harvard Law School; today he is Solicitor General of the United States.

4. The article first appeared in *JUDAISM*, Vol. 5, p. 53 (1955). It was reprinted under the title "The Fifth Amendment and its Equivalent in Jewish Law," *Decalogue Journal*, Vol. 17, p. 1 (1957). Contemporary with Lamm's article was S. Mendelbaum's "The Privilege Against Self-Incrimination in Anglo-American and Jewish Law," in the Winter, 1956 issue of *American Journal of Comparative Law*.

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* This review is scheduled to appear in the 1973 Israel Yearbook on Human Rights.

The change of political climate in the United States and the demise of McCarthyism towards the close of the fifties brought a halt to legislative investigations of domestic communism and, with it, the prominence of the Fifth Amendment. In the sixties, however, public fear transferred from communism to crime in the streets, and decisions by the Supreme Court greatly restricting the use of confessions as proof of guilt in criminal trials⁵ again brought the privilege to the public eye and into disfavor. It was in this milieu that Aaron Kirschenbaum, then a doctoral candidate at the Jewish Theological Seminary in New York, undertook the research that led to his doctoral dissertation and then to the book reviewed here.

There is no substantial evidence that the Anglo-American ban on self-incrimination (the Fifth Amendment is a direct descendant of English constitutional history) can in any way be traced to Jewish law—Scriptural, Talmudic or post-Talmudic. Nevertheless, there has been some interest outside of the Jewish community in the relationship of the Fifth Amendment to the equivalent halakhah. This is evidenced by the fact that the Lamm article was cited by the Supreme Court in one decision⁶ and quoted extensively by it in another,⁷ by the inclusion in the major history of the Fifth Amendment of an appendix on Talmudic Law,⁸ and by the fact that the research which led to Kirschenbaum's book was financed by the Fund for the Republic. Hence, although the book does not purport to be a study in comparative law and, in fact, only two pages and several incidental references are devoted to Anglo-American tradition and law, I think it worthwhile to consider some of the similarities and differences between the two principles.

1. Source

The source of the halakhic principle is Scripture. This is not as obvious as it would seem since, as has been indicated, nothing in the Torah expressly forbids self-incrimination and the instances in the *n'viim rishonim* seem to indicate the opposite. However, Maimonides, after suggesting the unreliability of confessions as rationale for the rule, concludes unqualifiedly that "the principle that no man is declared guilty on his own admission is a divine decree."⁹

The source of the American principle is history, specifically English history, culminating in the Fifth Amendment to the American con-

5. See, e.g., *Escobedo v. Illinois*, 378 U.S. 478 (1964); *Miranda v. Arizona*, 384 U.S. 436 (1966).

6. *Miranda v. Arizona*, footnote 27.

7. *Garrity v. New Jersey*, 385 U.S. 493, footnote 5 (1967).

8. Leonard Levy, *Origins of the Fifth Amendment* (N.Y.: Oxford University Press, 1968).

9. *Code, Judges, Sanhedrin* 18:6.

stitution.¹⁰ It represented cumulative revulsion against the use of torture and other inquisitorial procedures by the Star Chamber. The major grievance of the American colonists which led to the Revolution was that they denied the liberties which had been won by Englishmen. Much of the Bill of Rights in the constitution represents an effort by the Americans to secure those liberties against their own government, and prominent among these was the right not to incriminate oneself.

2. Development

Basically, the Torah stands in the same relationship to rabbinically expressed halakhah as the American constitution does to court decisions, particularly to those of the Supreme Court. As I have suggested, because Torah, whether *sheb'ktav* or *sheb'al peh*, is divine, there is little room for historical development, at least in respect to halakhah which is *d'oraita*. The constitution, on the other hand, was made by man and would, therefore, be more amenable to historical development through judicial interpretation. Yet, the gap between the two is not quite so wide as would appear. On the one hand, we can note the judicial philosophy of the late Justice Hugo Black, who was of the view that the constitution should (at least until amended in accordance with its provisions) be interpreted and applied at all times exactly as written.¹¹ On the other hand, the very concept of Torah *sheb'al peh* enabled the rabbis to apply the words of the Torah to contemporary needs and shaped normative Judaism as Pharisaic rather than Sadducic, on the one extreme, or Pauline, on the other.

The fact of the matter is that in respect to self-incrimination, as to other constitutional and halakhic principles, historical development is a reality, whether or not denied by Justice Black or by Orthodox Talmudists.

3. Rationale

Both halakhah and American law rationalize the exclusion of confessions because of their potential unreliability. Rambam suggests that

It is possible that he was confused in his mind when he made the confessions. Perhaps he was one of those who are in misery, bitter in soul, who long for death, thrust the sword into their bellies or cast themselves down from the roof. Perhaps this was the reason that prompted him to confess to a crime that he had not committed, in order that he might be put to death.¹²

10. See *Brown v. Walker*, 161 U.S. 591, 596-597 (1896). The most comprehensive account is Levy, *Op. cit.* See also, G. Horowitz, "The Privilege against Self-Incrimination. How Did It Originate?" *Temple Law Quarterly*, Volume 31, Winter, 1968.

11. See, e.g., his dissenting opinion in *Griswold v. Connecticut*, 381 U.S. 479, 507, 509-510 (1965).

12. Judges, Sanhedrin 18:6. The translation is Kirschenbaum's. Lamm, *Op. cit.*, expands this in Freudian terms. Another suggested rationale was that since a *rasha* was

In American law, authorities have frequently emphasized the unreliability of coerced confessions.¹³ However, in neither case is this the sole, or even principal, justification. Maimonides, for example, after proposing the above explanation, sums up the matter by declaring that the prohibition against self-incrimination is a divine decree. David ben Zimra (Radbaz) has the interesting suggestion that, since a man's life belongs not to himself but to God, he cannot give it away by confessing to a capital offense,¹⁴ an idea perhaps echoed in the general practice of American courts not to accept a guilty plea to an offense for which the death penalty is mandatory.

In American law, too, principal justification lies, not in the unreliability of confessions, but in the assault upon human dignity and the inhumaneness of compelling even the guilty to condemn himself.¹⁵ As Justice Douglas said:

The Fifth Amendment is an old friend, and a good friend. It is one of the great landmarks in man's struggle to be free of tyranny, to be decent and civilized. It is our way of escape from the use of torture . . . It is part of our respect for the dignity of man . . .¹⁶

4. Range of Applicability

The paramount operational difference between the two approaches is that American law does not prohibit all self-incrimination, only compulsory self-incrimination. Indeed, in contemporary United States, about 90% of all convictions are based exclusively upon self-incrimination in the form of a guilty plea to the indictment, a procedure completely alien to halakhah. Whatever may have been the case in a simpler society, it is unlikely that any contemporary system of criminal justice could survive if it excluded all confessions. Even in the one case—treason—in which the American constitution (Article III, Section 3) requires conviction on the basis of two eye-witnesses, an exception is made to allow confessions if made in open court.

However, here, too, the gap between the two systems is not as wide as it may seem. In the first place, if, as contended by some, the prohibition against self-incrimination was a late tannaitic development, it was never applied in capital cases since by that time the Sanhedrin either no longer had, or no longer used, the power to impose the death penalty.¹⁷ It would therefore follow that self-incrimination was operative when the Jewish court had jurisdiction. Secondly, when it did have the power in

ineligible to testify, one could avoid the burdensome and dangerous role of witness by confessing to a transgression which he never, in fact, committed. See Kirschenbaum, pp. 64–65; Levy, *Op. cit.*, pp. 436–437.

13. See, e.g., *Bram v. United States*, 168 U.S. 532, 547 (1897).

14. Kirschenbaum, p. 72.

15. *Rogers v. Richmond*, 365 U.S. 534, 540–541 (1961).

16. W. O. Douglas, *Op. cit.*, p. 238.

17. San. 41a; Makkot, Ch. 1, Mishnah 7.

cases of emergency (*zrihat hashah*) it could impose the death sentence or flagellation even when not warranted by the Torah,¹⁸ and on this basis R. Judah b. Asher advised, in a responsum, that a woman charged with harlotry could be flagellated even until she died where her guilt was established by the testimony of one witness corroborated by rumor, and even by rumor alone.¹⁹ This should be compared with Justice Black's statement that "I think the Fifth Amendment's command is absolute and not to be overcome without constitutional amendment even in times of grave emergency."²⁰ Or the statement of the Supreme Court that

The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times and under all circumstances. No doctrine involving more pernicious consequences was invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government.²¹

Kirschenbaum (at pp. 104-107) presents one contemporary case which shows how the halakhic principle *ein adam meisim azmo rasha* is applied in a pragmatic way to achieve a desired result. In 1954, a Rabbinical District Court in Tel Aviv/Jaffa was faced with the admission of a man that he had cohabited with a married woman and fathered her child. The Court ruled that since he could not render himself a *rasha*, his admission could not be accepted and the child must, therefore, be declared the legitimate offspring of the woman's husband. However, since the principle *ein adam meisim azmo rasha* does not apply to pecuniary matters, the Court could impose upon the paramour the obligation to support the child by monthly payments.

This case also illustrates another aspect in which the halakhah and American principles are not as wide apart as would seem. The halakhic principle excludes not only admissions which subject the confessor to criminal punishment but, also, those which degrade him.²² Under American law, as consistently interpreted by the Supreme Court, there is no privilege against testimony which degrades the witness but does not subject him to punishment, as for example where the statute of limitations on the crime has expired²³ or the witness has been granted immunity from prosecution.²⁴ The Tel Aviv/Jaffa decision shows that, under halakhah, too, self-degradation is allowable.

Space limitation precludes further consideration of this aspect of

18. San. 46a.

19. Kirschenbaum, p. 91.

20. H. Black, "The Bill of Rights," *New York University Law Review*, April, 1960. Justice Black was referring to a provision in the amendment other than the ban on self-incrimination, but he obviously intended his statement to apply to all rights secured in the amendment or elsewhere in the constitution.

21. *Ex parte Milligan*, 4 Wall. 2, 120-121 (1866).

22. Kirschenbaum, p. 74.

23. *Brown v. Walker*, 161 U.S. 591 (1896).

24. *Ullmann v. United States*, 350 U.S. 422 (1956).

Kirschenbaum's study and I turn now to an examination of the whole work on its own terms.

Self-Incrimination in Jewish Law is divided into three parts, although for some reason—most likely faulty editing—the Table of Contents divides it into only two. The first part is a short, comparative treatment of the Jewish law of confession in the light of general legal history. As has been noted, only two of the pages in this part are devoted to the Anglo-American courts which gave rise to the book. Unfortunately lacking altogether is anything on contemporary Israeli secular law. The second part is an historical study of the Jewish principle, from the Biblical through the medieval period; the third is an analytical study of the principle in the light of all halakhic sources, including post-medieval responsa and other rabbinic literature, as well as one decision of an Israel Rabbinical district court in 1954.

There can be no question of the thoroughness of Kirschenbaum's research or his command of the sources. Nevertheless, his effort to place the prohibition against self-incrimination in a historical context, while convenient for expository treatment, may have been ill-advised. Although Kirschenbaum wrote this study for a degree at a Conservative rabbinical seminary, he is quite clearly committed to the Orthodox assumption that *torah sheb'al peh* and *torah shebiktav* are equally authoritative and, hence, equally immutable.²⁵ Such an assumption has little room for doctrinal development and leads, naturally, not only to Scriptural proof-texts, many of which do not seem to the outsider to be particularly probative or, indeed, relevant, but also to *pilpulistic* reconciliation between Talmudic doctrine and seemingly contradictory Torah text.

No one can rightfully take exception to this point of view. But an effort to carry *pilpul* on one shoulder and objective historical examination on the other is likely to lead to statements such as Kirschenbaum's (on p. 49) that "the thesis of an older tannaitic law which allowed criminal confessions and a latter tanaitic development which rejected self-incrimination has no scientific basis whatsoever." Space does not permit examination of the evidence in support of the thesis²⁶ or of Kirschenbaum's rebuttal. In terms of traditional methodology and assumptions (specifically, the retroactive no less than prospective validity of all rabbinically expressed halakhah) the rebuttal is perhaps as good as any. However, in terms of objective, non-faith-committed scholarship, one cannot really dispose of the thesis of historic development by declaring it lacking of a scientific basis.

The incongruity of combining historic with Talmudic methodol-

25. Shab. 31a; Abot 1:1.

26. Suggested by, among others, I. H. Weiss, *Dor Dor Ve-Dorshav*, Vol. 1, pp. 23-25; H. Tchernowitz, *Toledot Halakhah*, pp. 251-253.

ogy is illustrated starkly by Kirschenbaum's treatment of self-incrimination in "the Biblical period" (which, even if limited to the period from Sinai to Ezra, extends over 800 years). Initially, it should be noted that nothing in the Torah expressly forbids self-incrimination. The Rabbinic proof-text,²⁷ Deut. 17:6 ("By the mouth of two witnesses, or three witnesses, shall he that is to die be put to death; at the mouth of one witness he shall not be put to death"), does not necessarily exclude the confessor as one of the witnesses; indeed, in monetary, rather than penal, cases, the halakhah is that *hoda-at bal din k'meah eidim*, thus negating the necessity of even one other witness.

Nevertheless, Kirschenbaum finds it necessary to reconcile with the halakhah four instances in early post-Mosaic history which seem to be inconsistent with it. One of these appears to be an original contribution by the author and is the most puzzling of all. It deals with the confession by Micah to his mother that he had purloined the eleven hundred pieces of silver that had been stolen from her.²⁸ Kirschenbaum reconciles this with the halakhah in that the confession, having been made in a monetary (rather than penal) matter, was clearly valid and effective in creating the obligation to make restitution. I must admit that I find it difficult to understand why even the strictest of Talmudic traditionalists would find such reconciliation necessary on the part of a woman who used part of the restored silver to make a graven image, in flagrant violation of the Second Commandment, particularly where the author of Judges was careful to note, in respect to the incident, that in those days "every man did what was right in his own eyes."²⁹

The other three instances occurred in the lives of Joshua and David, and here a traditional Talmudist would find reconciliation necessary, for tradition assumes observance of halakhah by these revered figures in the history of Israel. These instances were Joshua's condemnation of Akhan after he confessed violating the *herem* of Jericho,³⁰ David's condemnation of the Amalekite young man who confessed (falsely) that he had slain Saul,³¹ and his later condemnation of Rekhab and Ba-anah after they confessed to assassinating Ish-Boshet.³²

Rambam, apparently the first Talmudist who sought to reconcile the scriptural accounts of Joshua and David with the halakhah against

27. The classic formulation of the rule against self-incrimination, *ein adam meisim azmo rasha*, appears to have been made by Rabba, a fourth century amora (there is no mention of it in any mishnah or baraita). San. 9b. Rabba, however, does not point to Deut. 17:6 as the proof-text for the rule. Almost to the contrary, he cites that verse as source for his assertion that a person may not be executed *unless* he first confesses, although of course after prior conviction on the testimony of two eye-witnesses. San. 41a.

28. Judges 17:1-4.

29. Judges 17:6.

30. Josh. 7:19-21.

31. I Sam. 1:10-16.

32. II Sam. 4:8-12.

self-incrimination, explains the Akhan and Amalekite condemnations as based upon emergency (*hora-at sha-ah*) or governmental law (*din mal-khut*).³³ To these explanations, Kirschenbaum adds that in the Akhan case the death penalty was not based upon the confession but upon the lot, and that in this case, as well as the two Davidic cases, the confessions were supported by corroborative evidence (the spoil, Saul's royal insignia and the head of Ish-Boshet respectively).

The difficulty with Kirschenbaum's reconciliation is that the fact remains that in none of the cases was the conviction based upon the testimony of two or three eyewitnesses, and even if the lot be deemed, as he suggests, *iudicium Dei* which naturally supersedes halakhah, the same explanation is not applicable to the Davidic incidents. The Talmud, as Kirschenbaum notes (pp. 34-36; 114), specifically disallows conviction in a capital case on the basis of a confession corroborated by a single eyewitness; certainly, it would not allow it on the basis of corroboration by nontestimonial evidence.

Regretfully, further examination of Kirschenbaum's scholarly and analytical account of the separate aspects of the question of self-incrimination is not feasible in this review, but I would urge all persons interested in the subject to read this fine contribution to a very timely problem.



A Reform Theologian Speaks

Heirs of the Pharisees. By JAKOB J. PETUCHOWSKI. Basic Books. New York & London, 1970. 199 pp. \$6.95.

Reviewed by JACOB NEUSNER

JAKOB J. Petuchowski, professor of Rabbinics and Jewish Theology at Hebrew Union College-Jewish Institute of Religion, Cincinnati, presents here fifteen essays, most of them previously published but all of them revised, which form a coherent, persuasive, and frequently insightful statement of contemporary Judaic theology. Petuchowski combines erudition with clarity of thought and rigorous argument. His confrontation with the central issues of Jewish existence, reported in careful, reasonable language, produces an important and classical account.

It is important because the author has taken considerable trouble both to reflect upon, and to master, the traditional sources of Judaic theology. His is a disciplined, scholarly venture and, therefore, exhibits more substance, care, and elegant form than the writings of people who tell us how they feel this morning and call that theology. Theology it may be, but Judaic it is not. At the same time, he has done far more than collect a few rabbis' wise sayings, combine them into a mosaic with some joining language, and make pronouncements about the "rabbinic mind," as though pseudo-history might be magically transformed into a statement of theological weight or pertinence.

It is classical because he does not claim that since he is a Jew, even a rabbi, and is knowledgeable in some other subject than Jewish

33. *Code*, Judges, Sanhedrin 18:6.

theology—say, for instance, nineteenth century philosophy of religion—that the mere opening of his mouth constitutes an event in the formulation of authoritative Judaic theology. He is not hysterical, not pretentious, not ego-centered, but rational, moderate, deeply informed, literate. These negatives ought not to be taken lightly, given the pretension and ignorance to which Judaic theological discourse frequently finds itself subjected. Within the Reform circles, and at his own College, Petuchowski certainly stands out for scholarly distinction, solid, considerable achievement, and creative intelligence. He talks in a quiet voice, because he is used to being heard; that is only right.

Petuchowski treats the following subjects: The Pharisaic Tradition Today, The Bible of the Synagogue, A Fence with Loopholes, The Magnification of Hanukkah, The Hero of the Isaac Story, Reflections on a Title, The Grip of the Past, Not by Bread Alone, Beyond Fundamentalism and Iconoclasm, Revelation and the Modern Jew, Reflections on Revelations, The Christian-Jewish Dialogue, Prayer in an Unredeemed World, Criteria for Reform Jewish Observance, and The Holy Community. The book is supplied with full indices.

The argument throughout is that the primary source of Jewish thinking is rabbinic Judaism, a comfortable heritage, because of its suppleness and openness, as well as its capacity to make room for new ideas by finding the coherence between the new and the received revelation. He argues that one cannot “freeze” the tradition, but must recognize it as a dynamic and vigorous process. This he demonstrates in the first part of the book, by explaining, then illustrating, the rabbinic capacity for *mi-*

drash; the “Bible of the Synagogue” is the repository of “progressive revelation,” which Petuchowski describes. The “Fence with Loopholes” protects Judaism without wholly excluding the outside world; Hanukkah’s history illustrates the same proposition. “The Grip of the Past” takes up the problem of reform, and of reforming Reform Judaism. So the first group of papers addresses the fundamental issue of tradition and change, revelation and what comes afterward. He explains how to mediate between tradition and the contemporary world—by participating in the tradition itself; therefore, in its dynamism and vitality.

The second group of papers takes up the central issue of revelation. The first one, “Not by Bread Alone,” offers the analogy between God’s bringing bread from the earth and His giving Torah from heaven. Just as one acknowledges that He supplies material needs from the earth, so one assents that He nourishes spiritual needs from above. Neither statement can be interpreted literally; no one believes God “is personally concerned with the production of each and every slice of bread, so that the very sandwich we eat could be thought of as a direct gift from God.” Petuchowski proposes the same view of the doctrine of “Torah from heaven.” This leads to the next argument, against both fundamentalism and iconoclasm, and to the more abstract essay on revelation. “Revelation . . . is not something that only happened in the distant past . . . once modern Judaism has finally come to terms with the problems posed by Revelation, it, too, will have been blessed by God with that felicitous union of ‘event’ and ‘interpretation’ which is the essence of Revelation.”

The final group of papers con-

cerns the affairs of the holy community. The first deals with "Christian-Jewish dialogue," and, as is to be expected, comes to informed and moderate conclusions. The second concerns prayer, which is, after all, a communal datum rather than a supernatural one for our community. Third come specific problems of Reform observance. Petuchowski presents four criteria for selection within the tradition: (1) What, in a given case, has been the main direction of the millennial Tradition? (2) In what manner can I best realize the traditional teaching in my life and in the situation in which I find myself? (3) The voice of my own conscience. (4) The feeling of responsibility toward the Covenant Community. The concluding chapter is Petuchowski's classic essay, first proposing (1960) the regeneration of the ancient *havurot*, called by him "brotherhoods" and, by this writer, "fellowships." Interestingly, the discipline and communalism of the *havurot* are introduced into Petuchowski's lecture on "Freedom and Authority." I find this ironic, for, if the efforts at realization of the *havurot* have exhibited one trait, it is indifference to the authority of the tradition—which is treated as a kind of collection of useful programming ideas—and the search for pure freedom, as though community were possible within autarchy, even collective solipsism. Petuchowski's moderation, his effort to balance conflicting but uncontingent considerations, his struggle *with* the tradition—these are nowhere more poignantly and effectively embodied than in this prophetic (alas) essay.

The central theme throughout, therefore, is Torah in the sense of revelation: What is it? How may it be apprehended? What are its consequences? That emphasis is appropriate, for the primary image

of rabbinic Judaism, Torah, contains within itself virtually the whole of the Pharisees' heritage. Furthermore, the dominant foci for modern Judaism are to be identified with the issues inherent in faith in, and practice of, the tradition of Torah. Petuchowski is unashamedly, classically, a Reform Jew, conscious of the ineluctable obligation both to master, and to contribute to, even reshape, Torah. He illustrates what Professor Leonard Fein means by, "Reform is a Verb." It may be that Petuchowski stands at the very end of the old Reform movement, which was brought into being by the commitment of serious Jews to both Torah and the modern situation and by their efforts to find out, for here and now, how to realize the one in the circumstance of the other.

Before reforming became Reform, before the process ended in the encapsulization and fossilization of the contingent results of the process itself, the Reform movement produced many like Petuchowski, and they exercised an influence outside of their limited circles because of the moral authority which they rightly attained. If, today, Reform stands without a shred of moral authority and seems, to outsiders, synonymous with uninformed rabbis, scarcely acquainted with the classical Judaic tradition, and apathetic laymen, quite uninterested in other Jews and different options within the Judaic mainstream, then the classical Reform movement is over. Petuchowski, a lonely man of faith, standing for the criticism of all orthodoxies, the old as well as the new, shows us the greatness we evidently are to lose for Jewish existence. His modest tone conceals a considerable message: seriousness about Torah, but confidence in

the mind and judgment of its heirs.

JACOB NEUSNER is professor of religious studies at Brown University.

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From Moses to Felix

The Mendelssohns: Three Generations of Genius. By HERBERT KUPFERBERG. New York. Scribner's, 1972. 272 pp. \$8.95.

Reviewed by LOTHAR KAHN

AS the son of Moses Mendelssohn and the father of Felix, the banker Abraham Mendelssohn occasionally referred to himself as a hyphen. Yet even this mere link, besides being a first rate businessman, represented a high level of cultural taste and was not without critical-creative talents of his own. This intermediate generation—i.e., between Moses and Felix—produced gifted women and men of its own, who paled only before the genius of the older and younger men. At least one of the women, Dorothea Mendelssohn - Veit - Schlegel, managed to garner a considerable literary reputation of her own which, unfortunately, has been overshadowed by the excesses of her life. But in addition to boasting of three generations of genius, for which Herbert Kupferberg builds a convincing case, the Mendelssohns were significant as facts and symbols in Jewish history. The three generations which Kupferberg traces in his highly readable work of popular biography, were also representative of a people in transition, in ferment, in constant reaction to changing patterns of life.

The story of the Mendelssohns is dramatic in the extreme. When the physically deformed Moses of Dessau, son of Mendel, entered Berlin

through the Rosenthaler gate, the only one through which Jews were permitted to enter—and after paying the compulsory body-tax—he seemed an unlikely person to alter the ancient ways of Jews. He had come to Berlin to study under his former rabbi, and it was through remarkable application and will-power that he acquired a learning, verbal skill, and wit that attracted attention to his teachings inside and outside of European Jewry. By demanding that Jews rationalize their religion, learn German and enter the stream of German culture, Mendelssohn breached forever the walls of Jewish cultural isolation. But as new ideas were allowed to stream in, Jews themselves streamed out. While the exodus through conversion was initially confined to cities and their upper strata, the rash of baptism quickly assumed frightening proportions. The famed Protestant theologian, Schleiermacher, could—for good reason—predict that the end of Judaism was finally in view. Surely it remains one of the ironies of history that Moses Mendelssohn, himself an orthodox Jew and staunch defender of his people and faith, should have assisted in the disintegration of Central European Jewry, simply by trying to enlarge its vistas and rationalizing its base.

Jewishness all but disintegrated within his own family. Of his five children, only his oldest son, Joseph, rejected the lures of an easier life offered by the flow of baptismal water. Moses' oldest daughter, Dorothea, by contrast, requested this flow twice: first, when she embraced Lutheranism and, later, when she abandoned Lutheranism in favor of the Roman church. Dorothea had had the distinction of supplying the foremost salons with juicy bits of gossip; she was faithless to the capable, hon-

orable businessman whom Moses selected as her husband; she was the author of erotic novels; she was an early women's liberationist; she did not keep secret her long affair, prior to marriage, with the noted critic Friedrich Schlegel. Dorothea was also one of the first, noted self-hating Jewish women of modern times and her two sons by her first marriage were destined to become noted Catholic painters. Dorothea's sister, Henrietta, after initially rejecting conversion, eventually turned into a fanatic Catholic.

More complex was the case of Abraham, whom Kupferberg treats more generously than do most historians. Abraham initially questioned the appropriateness of a son of Moses abandoning Judaism and, at first, agreed only to the conversion of his children. But soon he followed them and, though never wholly comfortable in his new status, was driven by his conflicts into dubious positions and pronouncements. Persuaded by his notorious brother-in-law, Jacob (Levin Salomon) Bartholdy, to assume, himself, the name of Bartholdy, he also sought to foist that name on Felix. Though a devout Lutheran, Felix resented the Bartholdy addition and retained a deep reverence for Judaism. It is not unlikely that it was he who urged the collection of his grandfather's writings. Recent research indicates that Felix accepted his childhood conversion less lightly than did other members of his family.

Although Moses and Felix were also linked, as Kupferberg points out, by the commonality of intellectual spirit, their precocity and their craving for knowledge, other aspects of their education reveal how much the family complexion had changed from Moses to his grandson. While Moses' formal instruction was with a rabbi and in

Talmudic studies, Felix had access to the finest tutors of Berlin in arts and letters. Also, where Moses spent much of his adult life in Berlin, Felix was a European, finding his true home in London. Within fifty years, a clear progression of Jewry from the Ghetto to German culture, and from there to the world stage, itself, could be traced in the Mendelssohn family and in others equally prominent.

As a music critic, Kupferberg is patently most comfortable in his treatment of Felix and, wisely, he brings up the latter's dislike for Meyerbeer, who also issued from a distinguished banker's family. Was the dislike spurred, at least in part, by the Beers' resistance to conversion and their willingness to court disapproval in the distinguished circles in which they moved? Was it somehow related to the fact that Meyerbeer's father, unlike his own, had chosen to express his modernity and rationalism, not through baptism and artificial names, but by assuming leadership in the nascent Jewish Reform movement? Whatever the reason, despite Felix' dislike of Meyerbeer's operatic innovations, they shared the abuse of Richard Wagner, who accepted their gifts and plaudits, only to revile them as Jews in the most swinish of fashions.

Though not central to this book, which revolves about the genius of the Mendelssohn clan, Kupferberg's account demonstrates what happens when a house, long closed, suddenly open its doors and windows. In a sense, Moses Mendelssohn was a tragic figure whose specific accomplishments were entirely opposed to the goals he had envisioned. Unwittingly, he played a role in Judaism not unlike that of John XXIII in Catholicism. His own family history illustrates, in part, the *effects* of his teachings. By the late 19th century the Jew-

ish line of the Mendelssohns had died out completely. Moses was, of course, in no way responsible for the demise and, perhaps, not even for the diminution of Judaism in Germany. But while his genius and its influence did contribute positively to the greatness of what has sometimes been referred to as the German-Jewish symbiosis, it also opened the door to the pathological drive for sameness, with its inner rifts and outer ugliness. Both positive and negative elements are amply present in the Mendelssohns after Moses. Herbert Kupferberg has rendered a genuine service by making the history of this remarkable family available to the English language reader in a book which eschews the common flaws of popularized history and is cautious and reserved in its judgments.

LOTHAR KAHN is professor of modern languages at Central Connecticut State College.

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A Noble Life

Hannah Senesh, Her Life and Diary. By HANNAH SENESH. Schocken Books. New York, 1972. 257 pp. \$6.95.

Reviewed by THEODORE N. LEWIS

THIS is an exalting volume, a record of a noble life, the story of an extraordinary young Jewess who rose from ordinary, humdrum, middle-class Jewish life, to the highest rung on the ladder of Jewish idealism. It stirs the heart, lifts the soul and makes fascinating, exciting reading—up to the very end, when we learn of Hannah's arrest and execution.

Born in Budapest to assimilated parents, Hannah received a minimal Jewish education, with the result that she was Jewish only nominally. In her home, she learned

very little about "religion and Jewishness," writes her mother. As for her father, who died at thirty-three, his "creed and guiding principle was humanism, and he worshipped at its altar." In the Protestant school which she attended, where Jewish pupils paid three times the tuition charged the other students, she experienced the first arrows of anti-Semitism. The faculty refused her the honor which her fellow students had voted her because she was a Jewess—despite an excellent scholastic record and a *Summa Cum Laude* diploma. The discrimination lead her to write that "only now am I beginning to see what it means to be a Jew in a Christian society."

At the age of seventeen, the call to Palestine and the cause of the Jewish people began to agitate her. She found life intolerable in her anti-Semitic and assimilatory environment. Only in Palestine could she live in freedom and dignity, and only there could she help promote and advance the rebirth of her people. On September 13, 1939, she implemented her decision. She gave up her affluent home, bade farewell to her mother whom she loved deeply, and her brother George, with whom she had a splendid relationship, and left for Palestine, for Eretz.

Her diary is truly intriguing. It begins with her thirteenth birthday, and the first entry is dated September 7, 1934. The ensuing pages reveal an excellent student, a girl of strong convictions and an iron will, with a bitter dissatisfaction at an empty life, and a yearning for Jewish spiritual values. On November 18, 1934, she notes the fifteenth anniversary of Admiral Horthy who overthrew the Communist regime of Bela Kuhn, and whom Hitler ousted on October 16, 1944. On October 4, 1935, she mentions Mussolini's at-

tack on Abyssinia, and poignantly inquires, "Why this killing?" Her ambition to become a writer is motivated, not by the desire to achieve fame, but to become "a great soul." And she became a much greater soul than she had ever anticipated!

On June 18, 1936, she writes about love and boys, and especially about Gaby's love for her, which she did not reciprocate. Love appears repeatedly in the volume. Again and again, Hannah voices her regret that she has not been fortunate to meet a man to whom she could give her heart.

Baptism and conversion, quite common in her circle, she rejects with utter contempt. She would not "convert to Christianity . . . because of the children I hope one day to have. I would never force them into the ignoble position of having to deny or being ashamed of their origin, nor would I rob them of their religion, which is what happens to the children of converted parents." How superbly true!

March 12, 1938, was a fearfully black day for Austrian Jewry, as Hannah mentions in her entry for the 13th. On that day Hitler seized Austria. This event led to a sharp increase in anti-Semitism in Hungary, and to the prompt adoption of the "Jewish Bill," which limited the ratio of Jews in the economic field to 20%. Later, the "bill" was amended to impose even more galling restrictions. On July 25, 1938, she records that, in Budapest, the Jews were wondering whether what had happened in Vienna would be repeated for them, and that they were "thoroughly prepared for the worst and feel that it is really only a matter of time." But neither she, nor Hungarian Jewry, could possibly have surmised the bitter fate in store

for them at the hands of Adolph Eichman!

Among the many extraordinary entries, that for November 12, 1938 is truly notable. "I am determinedly and purposefully preparing for life in Palestine . . . I must do so in my own interest and in the interest of Jewry. Our 2,000 year history justifies us, the present compels us, the future gives us confidence. Whoever is aware of his Jewishness can not continue with his eyes shut."

This solemn declaration is followed by a profoundly moving address on Zionism, delivered at the Bible Society. "The name of Palestine is so powerful that it is capable of gathering in Jews from any and all parts of the world," she writes. What truth! How thrilled she would have been to witness the irresistible appeal Israel has for all Jews and, particularly, for Russian Jewry.

At Nahalal, on Yom Kippur (September 23, 1939), where she was a student at the Girls' Agricultural School, her spirits are rather low. Yearning for her mother, she indulges in a good cry, but finds consolation and strength in that there "almost every life is a fulfillment of a mission," and Jews are "free, industrious, calm and, I think, contented."

On September 21, 1942, after two years of work and study at the Nahalal Agricultural School, Hannah, speaking as the valedictorian, urged her fellow students to remember "our parents in the Diaspora" as she certainly did, even to the extent of inviting her mother to settle in Palestine, assuring her that "everyone gets as much from the land as he gives" and that she would not "have any financial worries."

On May 16, 1942, she records casually that she is planning to enlist in the Palmah, the most ag-

gressive arm of the Hagganah. And on January 8, 1943, she announces her plan to go to Hungary "to help organize youth immigration and also to get my mother out." To George, she writes, on December 25, that life without a purpose is a "worthless toy." A striking observation, indeed!

"The Letters," the second section of the book, include those which she wrote to her mother and to friends, always emphasizing the "healthy new Jewish life" she has found.

The story of her mission, her arrest, and of her heroic resistance to the barbaric tortures which were visited upon her, are told by two men who shared the undertaking with her, and who luckily survived. Reuven Dafne, who trained at Cairo, contributes a most stirring chapter on "The Last Border," in which he describes, not only Hannah's eagerness and self-assurance, but her serenity of spirit and her confidence of success. When overcome with tension and trepidation he "would think of Hannah and her comforting words of encouragement, and feel relaxed and reassured."

Accompanied by Enzo Hayim Sereni (who was murdered at Dachau about ten days after Hannah was executed) she and three other members of the mission were flown from Cairo to Bari, Italy, arriving on March 14, 1944. The British were astounded to find a woman parachutist, having never met one previously. The plane which dropped them on Yugoslavian soil easily found its target. Reuven jumped first and Hannah behind him. How they lived, wandered and worked with partisan fighters for months makes fascinating reading. After a four-day foot hike to a previously agreed upon Hungarian village, they crossed the border on June 4 and finally reached

their destination. Two Jews from the Hungarian underground and one non-Jew, an escaped French prisoner of war, were waiting for them. Hannah and her comrades proceeded to an area which was not only strange and unknown to them, but, unfortunately, heavily patrolled. Hannah and the Frenchman hid in the bushes while her two companions went into the village where they were promptly discovered by Hungarian police and arrested. After one had committed suicide, farmers reported that two more infiltrators were hidden nearby. German soldiers promptly surrounded the area, making escape impossible. Hannah was taken to the Gestapo prison in Budapest and subjected to brutal torture and savage interrogation, but she never revealed the purpose of her mission, nor the secret radio code which the Germans were desperate to learn.

"How She Fell" is told by Yoel Palgi, another comrade. It is written with such passion that one actually experiences vicariously the heroism of Hannah, as well as the tragedy. The two began their mission on May 13, 1944, a tragic day for Hungarian Jewry. Going in opposite directions, they agreed to meet, at the conclusion of the Sabbath services, at the Great Synagogue, or, if no service was held, at the Cathedral. Instead of meeting at the agreed rendezvous, they met, within a very short time, at the Budapest Gestapo Headquarters. It was Yoel who, from his cell, heard a guard calling "Hannah Senesh," and Hannah replying "yes." While waiting to be taken for further interrogation, he suddenly saw her coming down the steps. She paused and grabbed his hand for a moment. The two were then placed in one van—he in a compartment directly next to hers. Yet another of the thirty-two para-

chutists, Peretz Goldstein, was also in the van. Unfortunately, he was murdered in a German concentration camp, a fate which, alas, befell about a fourth of the heroes who undertook this dangerous mission.

The Germans had prepared for Hannah an even more terrible ordeal than physical torture. And the story of this ordeal, the confrontation of Hannah with her mother, is told by Katherine Senesh in the dramatic and unforgettable chapter, "Meeting in Budapest."

On June 8, 1944, the mother was summoned to military headquarters, and to her utter bewilderment found herself in one room with her daughter, who was supposed to be in Palestine. Rushing to her mother, Hannah sobbed and pleaded, "Mother, forgive me." The mother could hardly recognize her child whose "once soft, wavy hair hung in a filthy tangle. Her ravaged face reflected untold suffering. Her large, expressive eyes were blackened and there were ugly welts." After a brief interval, with the Gestapo guards hoping that the mother would persuade her daughter to "speak," Hannah was returned to her cell, and Mrs. Senesh was allowed to go home, only to be arrested within a few hours and placed in a nearby cell. Hannah's personality shone brilliantly even in prison, where all inmates treated her and her mother with special consideration and, even, esteem.

On September 11, Hannah was taken to another prison, and her mother's world collapsed. Two days later she, too, was removed, with all the other prisoners, to an internment camp of Kisearcsa, on the Budapest outskirts. After the Gestapo prison, Mrs. Senesh found this place to be a "summer resort." On Yom Kippur all were set free and the camp closed.

No sooner was the mother freed

than she began her vain struggle for her daughter's rescue. She engaged an attorney, who assured her that there could be no death sentence. On October 15, however, Szalasi and his Nazi Arrow Cross came to power, thus sealing the fate of Hungarian Jewry, including Hannah's. On October 28, the military court heard her case, and her courageous defense of her mission and her people so unnerved the judges that they did not dare pass any sentence—death or otherwise. Instead, they postponed judgment for eight days—an unheard-of procedure—and then fled the city which was in turmoil. (Even the judges who were supposed to try Peretz and Yoel fled. While Yoel thus escaped with his life, Peretz was shipped to a concentration camp where he was murdered.)

The details of Hannah's execution were learned by Yoel from a prison orderly who cleaned her cell, No. 13. Instead of begging for clemency, she demanded a new trial, which, of course, was refused, and despite the strenuous efforts of her mother she was executed by a firing squad on November 7. Thus died a heroine with few parallels in the history of our people, or in the history of mankind.

She was buried in the Budapest Jewish cemetery in the martyr section. Just who performed the service is not known, since the Jewish Burial Society, the Chevra Kadi-sha, was no longer functioning. In 1951, her body was brought to Israel where she was interred with full military honors, after lying in state in Haifa.

The scoundrel responsible for her death and execution was a certain Captain Simon, who was brought to trial after the war, at which time the illegal character of the execution was established.

When Abba Eban writes, in the introduction to this book, "that all

the definitions of giant courage came together in Hannah's life," he is expressing the simple, unadorned truth. But it is not only courage; it is also fierce loyalty to her people and a burning love for Eretz Israel.

Whether this stirring book can pass as great literature, I do not know. But as a written record of the life and death of a noble heroine, it is most assuredly in a class by itself. Few pages in the literature of mankind match the grandeur, nobility and basic humanity enshrined in that memorable poem, "Blessed is the Match," which Hannah composed on Yugoslavian soil on May 2, 1944.

Blessed Is the Match

Blessed is the match consumed
in kindling flame.

Blessed is the flame that burns
in the secret fastness of the
heart.

Blessed is the heart with strength
to stop its beating for honour's
sake.

Blessed is the match consumed
in kindling flame.

THEODORE N. LEWIS is Rabbi of Progressive Shaari Zedek Synagogue, Brooklyn, N.Y.



The Unrealistic Attitude

Arab Attitudes Toward Israel. By YEHOSEFAT HARKABI. Hart Publishing Co., New York, 1972. 528 pp. \$10.00.

Reviewed by MICHAEL SHASHAR

THOSE who tend to see the Arab-Israeli conflict in an optimistic light frequently point out that, in the past, the relations between Jews and Moslems in Arab countries

were better than those between Jews and Christians in Europe. As a matter of fact, one cannot speak about anti-Semitism in the Moslem World, from the medieval period until the beginning of the twentieth century. But even so, we must admit that the Arab-Jewish relationship changed completely when the Jews turned from a minority, living under the protection of the Moslem rulers, into an independent majority living in their own state. Countless examples of that extreme change are brought forth by Dr. Yehoshafat Harkabi in this book.

In his introduction, the author states initially: "the Arabs are hostile to Israel and this hostility influences their view of her as vile . . . The verdict that is passed against Israel, is the logical outcome of the negative image of Israel and the Arab's emotional attitude towards her."

The comparison—and perhaps the difference—between the Nazi relationship, or attitude, to the Jews, and the Arabs' attitude towards the Jewish State, is, therefore, only natural. But whereas in Germany it was possible to reach certain conclusions on the basis of Gallup polls, it is much more difficult—and almost impossible—to do so in the Arab world, which is still very far from any equalitarian or democratic structure. The material in the book is, therefore, based on text analysis, and in that respect a tremendous amount of work has been done by Harkabi in collecting newspaper clippings, literary sources and even radio tapes.

From the statement quoted above it is clear, beyond the shadow of a doubt, that, ultimately, the Arabs do not acquiesce to the existence of the State of Israel, or, in Nasser's words: "Arab unity means the liquidation of Israel and the expansionist dreams of Zionism" (p.

2). This solid fact is repeated in the book countless times, so that it is difficult to escape the conclusion that those who think that there *is* a chance for a peaceful existence for both Israel and the Arab States, in the foreseeable future, are avoiding reality.

What is the origin of this profound hatred? It seems that it cannot be explained solely on the basis of the political dispute between Israel and the Arabs; there is a much deeper clash. Factually, in the Middle East, we are witnessing a confrontation between two different civilizations: on the one hand, Israel, representing Western Civilization (not to be confused with the cultural aspect, where there is more in common between Judaism and Islam than between Judaism and Christianity); and, on the other hand, the Arab States, still representing conservative Oriental Civilization which has not yet accepted the penetration of Western Civilization into its heart. Only on this basis can one understand statements like: "We shall not agree that the State of Israel should remain in our midst," or "there is no room for Israel in the Arab East" (p. 4).

This extreme attitude—in which even the acceptance of the State of Israel within the 1947 partition boundaries is only a temporary stage to weaken and ultimately annihilate Israel, as proved by Harkabi (p. 21)—is the reason that the Arab-Israeli dispute has already lasted for decades. There seems no chance to solve it by compromise.

Harkabi cites a long list of terms like "restoration of stolen rights," "just solution" and "liberation," "liquidation of the traces of aggression," "repulsion of the Zionist danger" and so on, all pointing to the intention of annihilating Israel as a State, while granting—and even this is not sure—to some

of the Jews who live in Israel, probably those who are natives and some of the Oriental Jews, the right to live there as individuals.

From all this it becomes clear that on the Arab side there is not even the beginning of a readiness to try to understand the profound significance of Zionism as a Jewish national movement, let alone the profound bonds between the Jewish people and the Holy Land. On the contrary: the Jewish State is described as an "artificial creation" (p. 84), and from there it is only one step towards the comparison—favorable for the Arabs—"between the imperialistic State of Israel and the Crusaders' Kingdom."

In this connection the religious argument also appears: "England and America will help them. France may support them but they will be chastized with degradation and poverty and be visited by the Wrath of G'd" (p. 92), even though it is clear that in the Moslem World, as well, religion has lost much of its weight and influence. But as soon as you can exploit religion for chauvinistic and nationalistic purposes, it will be welcomed even by avowed atheists. We therefore notice that the Moslem religious term, "JiHad,"—the Holy war—is mentioned more and more frequently by Arab statesmen, not so much in connection with Jews as individuals, but mainly against the Jewish State as such: "When Arab spokesmen emphasize that they bear no hostility to the Jews, but are determined to fight the State of Israel, they are expressing the spirit of Islam, which recognizes the Jews only as a tolerated minority" (p. 132).

As soon as you exploit this religious argument, it is difficult to overlook the Bible. But even here "a solution" has been found, namely: "The divine promise of the re-

turn to Zion was fulfilled by the return of the Babylonian exiles, and does not foreshadow a further return, and the heritage of Israel has been transferred, according to the Epistle to the Galatians, to the Christians" (p. 195). In that light it is clear that all the abominations are thrown, not only against the Jewish State, but even more against Zionism, which is "the root of all evil; it is the cause of the conflict; it is the evil spirit of Israel" (p. 171).

This heavy load of hatred for the Jewish State and for Zionism must lead to a deep hatred for Jews as such. And so—even though it seems to be true that in the Middle Ages better relations prevailed between Jews and Moslems than between Jews and Christians—the image of the Jew in modern Arab literature does not differ from the image in Nazi literature. Furthermore, in many cases, justification can be found for the Nazi crimes. "Hitler carried out the decision of his scholars, and did to the Jews as has been done unto them throughout the generations—killing, burning and expulsion from the countries which they betrayed and whose people they deceived" (p. 276), and, so, Israel was condemned repeatedly in the Arab Press for the violation of international law by indicting Eichman (p. 278).

From all this we must come to the conclusion that Arab anti-Semitism does exist. In a special chapter of his book, Harkabi analyzes the difference between Western anti-Semitism, explained mainly "on the basis of social, economic, and psychological factors" (p. 297), and Arab anti-Semitism which "was from the beginning not directed against Israel and the Jews living outside the Arab World... Arab anti-Semitism is a part of the

Arab countries' struggle against Israel... If the Arab-Israeli conflict was settled anti-Semitic manifestations would die out" (p. 298). But "neither the Russians nor the Germans burned their fingers in their relations with the Jews, as the Arabs did" (p. 299).

The real and true tragedy of the situation is summed up in the author's words: "It should be admitted that there is a considerable element of truth and justice in the ideology of the Arabs. One can understand their feelings that Arab nationalism has suffered an injustice by losing the territory of Israel. Their burning pain is sincere... The main difficulty of the conflict has been that the Arabs have not found the way to present less extreme and categorical demands, regarding any concessions as too small, if it left Israel in existence, while for Israel any concession was too great if it narrowed and endangered the basis of the survival" (p. 449).

In the light of all this, are there any possibilities of change? Says Harkabi: "it may be readily agreed that changes will come, but it is more difficult to forecast how they will come and how to ensure that the development will be in the desired direction" (p. 250).

I think we are entitled to demonstrate a careful amount of optimism in that respect, if we analyze the relations created since the War in June, 1967, between the 2,700,000 Jews now in Israel and the 1,500,000 Arabs living under Israeli control. But even so, peace in the Middle East is still far from us. Comprehensive scientific evidence of that statement can be found in this book.

MICHAEL SHASHAR is Consul of Israel in New York, N.Y.

On the Role of Reform

TO THE EDITOR OF JUDAISM:

Rabbi Narot's call for "renewal of Jewish idealism, Jewish life, and Jewish faith here and elsewhere, beyond Zion" seems puzzling. What, in the experience of cultural ethnicity, will serve the catalytic role of restoration and renewal? American Jewish drama, music, etc. will be a result, not a cause, of dedication to eschatological dreams. Zalmon Schacter correctly stated that "Theology is the verbal afterthought of the believer;" so, too, are the arts the creative afterthought of the one who has experienced a mystic or spiritual event.

Rabbi Narot is proud of Reform's role in the demise of the concepts: personal Messiah, resurrection and personal God. Does he not realize that creativity is the result of the crisis of dealing specifically with these issues? View the drift of so many young middle-class American youth (primarily of "Reform" background) to the "weird" spiritual movements of our time. They obviously miss the spiritual in Reform. The ascetic Temples with their clinical expressions lack the magic and grandeur to transform souls or put them on fire. Even if they ultimately discard these concepts they miss the initial encounter with these ideas.

As an outsider, I view the "new" mission of "Reform" not artificially to create poor Jewish music and dance, but to serve to reform theologically, liturgically and ethnically.

Indeed, Narot is correct when he reminds us of the debt we owe Reform for charting new directions and attempting to accommodate "westernisms" in Judaism (or is it vice-versa?) Why should Reform stop this role? . . . Reform is always necessary as the antithesis to moribund traditionalism. At that point when a particular tra-

ditional symbol or ritual is no longer useful it must be the "Reform" who point out this fact and create new forms that help retain the spiritual insight.

Liturgical reform is a must in a time of flux and change. We cannot expect, nor should we, the more traditional Jewish expressions (whatever their official names be) to experiment with new forms of worship and new symbols within the institution of the Synagogue. Reform must be brave enough to "play around" (Kibbitz might be a more suitable word) with new forms.

The most significant area for Reform renewal is to serve in an "avant garde" fashion in assimilating, for better or worse, new modes of behavior and new life styles. The initial analysis as to the possibility of accommodation of a new ethical or moral standard must be the prerogative of the "Reform Movement." As socially closest to the non-Jewish mainstream of modern life and style they are in a better position to begin this analysis.

For Reform to become a simply less observant form of Orthodoxy is a perversion of its task.

Judaism will never vanish—that is God's promise. To add a dimension of creative tension to the Jewish world is the real task of Reform. As an Orthodox Rabbi I wish them well—but let them get back to their real task. We need their catalytic activities as they need our dedication to ancient forms.

Quebec, Canada ELIHU J. STEINHORN

RABBI NAROT *replies:*

Rabbi Steinhorn says that he is puzzled by my call for "renewal of Jewish idealism . . . beyond Zion." He asks, "What, in the experience of cultural ethnicity, will serve the catalytic role of . . . renewal?" That, in turn, is a puzzle to me. Surely Rabbi Stein-

horn knows that our people were able to find that "catalytic role" in ancient Babylon, in Medieval Spain, and in modern Eastern Europe. Why not now in America?

I take exception only to a few and minor matters in Rabbi Steinhorn's letter: He cannot really prove his assertion that it is "primarily" the youth of Reform backgrounds who turn to the "weird" spiritual movements of our time. Nor did I suggest in my original statement that the new mission of Reform is "artificially to create poor Jewish music and dance." Or that "Reform should stop charting new directions." Or that Reform should "become a simply less observant form of Orthodoxy."

Above all, I am delighted that Rabbi Steinhorn, an Orthodox Rabbi, "wishes them (Reform Jews) well;" that he feels "we need their (Reform

Jews') catalytic activities;" that he thinks that the new mission of Reform is "to serve to reform theologically, liturgically, and ethically;" and that he believes that "Reform is always necessary as the antithesis to moribund traditionalism." O, that more Reform Rabbis might believe as much!

Since I join Rabbi Steinhorn, both in his reverence for Judaism and in his assertion that Reform Jews need the dedication of the Orthodox to ancient forms as much as the Orthodox need the catalytic energies of Reform, I find much encouragement in his thoughtful letter. It helps me to feel all the more that liberal and traditional Jews can be bound together, on the one hand by a love for Zion, and on the other hand by mutual regard for each other's contribution to Judaism in the Diaspora.

Miami, Florida

JOSEPH R. NAROT

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